

## Materialsammlung zum Friedensprozeß im Nahen Osten: Anlageband zur Studie "Die EU und der Friedensprozeß im Nahen Osten"

Asseburg, Muriel

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Stiftung Wissenschaft und Politik  
Deutsches Institut für Internationale  
Politik und Sicherheit

*Muriel Asseburg*

# Materialsammlung zum Friedensprozeß im Nahen Osten

Anlageband zur Studie »Die EU und der  
Friedensprozeß im Nahen Osten«

Anlageband zu S 28/03  
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Deutsches Institut für  
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Ludwigkirchplatz 3-4  
10719 Berlin  
Telefon +49 30 880 07-0  
Fax +49 30 880 07-100  
[www.swp-berlin.org](http://www.swp-berlin.org)  
[swp@swp-berlin.org](mailto:swp@swp-berlin.org)

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# Einleitung

Nach dem historischen Durchbruch der Verhandlungen von Oslo und der gegenseitigen Anerkennung Israels und der PLO im September 1993 lag der EU daran, sich aktiv im nachfolgenden Friedensprozeß zu engagieren und zur Stabilisierung des Nahen Ostens beizutragen, immerhin eine Nachbarregion Europas. Zunächst konzentrierte die EU ihre Bemühungen in erster Linie auf die Herstellung von Rahmenbedingungen für einen dauerhaften Frieden in der Region: Sie leistete finanzielle und ökonomische Unterstützung für die am Nahost-Friedensprozeß beteiligten Parteien, um wirtschaftliche Entwicklung zu induzieren und die Lebensbedingungen der Bevölkerungen zu verbessern. Sie förderte den Aufbau palästinensischer Regierungsinstitutionen, die als Grundstein für eine Zwei-Staaten-Lösung dienen sollten. Sie unterstützte Projekte, die zur Aussöhnung zwischen den Bevölkerungen beitragen sollten, und engagierte sich beim Aufbau regionaler Kooperationsstrukturen und multilateraler Prozesse.

Bereits in den ersten Jahren des Oslo-Prozesses verschlechterte sich die wirtschaftliche Situation in den palästinensischen Gebieten drastisch, vor allem infolge der israelischen Abriegelungspolitik. Die Kritik am Führungsstil Arafats und an der Korruption in der Palästinensischen Autorität (PA) griff in der palästinensischen Gesellschaft schnell um sich. Die bilateralen israelisch-palästinensischen Verhandlungen stagnierten nach der Ermordung des israelischen Premierministers Itzhak Rabin und während der Netanjahu-Ära (Mai 1996–Juni 1999) und führten auch unter Premierminister Barak nicht zu einer Konfliktlösung. Dennoch behielt die EU ihren ursprünglichen Ansatz gegenüber den Konfliktparteien im wesentlichen bei.

Erst als die Zweite oder *Al-Aqsa-Intifada* im Herbst 2000 ausgebrochen war, sah sich die EU genötigt, ihre finanzielle Hilfe neu auszurichten. Sie wird seither in erster Linie für die humanitäre Unterstützung der notleidenden palästinensischen Bevölkerung eingesetzt. Außerdem sollte ein vollständiger Kollaps der PA durch die Gewährung direkter Budgethilfe verhindert und gleichzeitig eine Reform der palästinensischen Institutionen eingeleitet werden. EU-Vertreter haben zudem vermehrt bei Krisen interveniert und sich stärker politisch engagiert, um aktiv an der Suche

nach einem Ausweg aus dem Kreislauf von Gewalt und Gegengewalt teilzunehmen. Dabei haben die EU und ihre Mitgliedstaaten durchaus diplomatische Erfolge vorzuweisen.

Die sogenannte *road map*, die das Nahost-Quartett (USA, EU, Rußland und die Vereinten Nationen) im September 2002 zum ersten Mal angekündigt und Ende April 2003 den Konfliktparteien offiziell übergeben hat, sieht eine friedliche Regelung des israelisch-palästinensischen Konflikts im Wege einer phasenweisen Umsetzung einer Zwei-Staaten-Lösung bis zum Jahre 2005 vor. Der Friedensplan kann ein wichtiges Instrument sein, um erneut einen Friedensprozeß in Gang zu setzen. Als solcher garantiert der Plan aber keinen Erfolg, zumal er Mängel aufweist. Insbesondere ist in ihm das Ziel des Prozesses nicht konkretisiert worden, also die Frage, wie eine Konfliktlösung im einzelnen aussehen soll. Zudem fehlt es dem Plan an Verbindlichkeit: Alle Datumsangaben sind nur als grobe Orientierung zu verstehen, konkrete Durchsetzungsmechanismen, etwa eine übergeordnete Konfliktregelungsinstanz, sind nicht vorgesehen.

Dieser Anlegeband enthält ergänzendes Material zur Studie »Die EU und der Friedensprozeß im Nahen Osten«, die das bisherige Engagement der EU im Friedensprozeß analysiert, Problemfelder aufzeigt und Empfehlungen für eine wirkungsvollere europäische Politik formuliert. Die Materialsammlung beginnt mit einem Rückblick, der die wichtigsten Entwicklungen des mit der Konferenz von Madrid 1991 eingeleiteten Nahost-Friedensprozesses rekapituliert. Sie enthält außerdem einen tabellarischen Überblick über die finanzielle Unterstützung der EU sowie die Texte wichtiger EU-Deklarationen und internationaler Friedensinitiativen zur Lösung des Nahostkonflikts.

## Rückblick: Der Nahost-Friedensprozeß 1991–2000 und die Zweite Intifada

Die Nahost-Konferenz von Madrid, die die USA 1991 vor dem Hintergrund des Zweiten Golfkrieges und des Zusammenbruchs der Sowjetunion einberiefen, leitete eine neue Phase von Friedensverhandlungen im Nahen Osten ein. Zum ersten Mal seit 1948 wurde – auf der Basis der Sicherheitsratsresolutionen 242 und 338 und des Prinzips »Land für Frieden« – eine umfassende Friedensregelung für die gesamte Konfliktregion unter Beteiligung aller Konfliktparteien angestrebt. Dazu etablierte die Madrid-Konferenz bilaterale Verhandlungsschienen zwischen Israel auf der einen sowie Jordanien, Syrien und Libanon auf der anderen Seite. Die Palästinenser waren in einer gemeinsamen jordanisch-palästinensischen Delegation vertreten; die PLO blieb zunächst offiziell ausgeklammert. Die Konfliktgegner sollten in diesem Rahmen bilaterale Friedensabkommen aushandeln.

Gleichzeitig etablierte die Konferenz ein multilaterales Verhandlungsforum unter Beteiligung und Schutzherrschaft internationaler Akteure (namentlich der EU, Rußlands, Japans und der USA) sowie unter Einbeziehung des weiteren regionalen Umfelds. Im multilateralen Rahmen wollte man die regionale Integration und Interdependenz fördern und grenzüberschreitende Probleme gemeinsam angehen, um so langfristig die Rahmenbedingungen für regionale Stabilität und Wohlstand im Nahen Osten zu schaffen. In fünf Arbeitsgruppen sollten die Fragen der Rüstungskontrolle, Flüchtlinge, Wasser, Umwelt und regionale wirtschaftliche Entwicklung behandelt werden. Schon bald stellte sich allerdings heraus, daß die Regierungen in der Region deutlich mehr Wert auf die bilateralen Verhandlungen legten, in denen es darum ging, die territorialen Fragen zu regeln und konkrete Sicherheitsvorkehrungen zu treffen. Erst im Anschluß daran waren sie bereit, über regionale Zusammenarbeit und die Lösung grenzüberschreitender Probleme zu verhandeln. Die Folge war, daß die multilateralen Arbeitsgruppen kaum substantielle Fortschritte erzielten, auch wenn etwa im Bereich wirtschaftlicher Zusammenarbeit mehrere regionale Wirtschaftskonferenzen stattfanden und ein permanentes Sekretariat etabliert wurde. Erschwerend wirkte sich die Verschlechterung der israelisch-arabischen Beziehungen auf den multilateralen

Prozeß aus: Seit Frühjahr 1996 sind die Arbeitsgruppen nicht mehr offiziell zusammengetreten – zunächst infolge der israelischen Luftangriffe im Süd-Libanon (sogenannte »Operation Grapes of Wrath«), dann aufgrund der Verhärtung der Positionen in der Netanjahu-Ära 1996–1999. Internationale Versuche, den multilateralen Prozeß wiederzubeleben, etwa im Frühjahr 2000, sind bislang erfolglos geblieben. Sie werden wohl auch erst dann Früchte tragen, wenn Fortschritte auf der bilateralen Ebene zu verzeichnen sind.

### Die bilateralen Verhandlungsschienen: Jordanien, Syrien und Libanon

Auf bilateraler Ebene begannen substantielle Verhandlungen erst, nachdem 1992 Israels Premierminister Itzhak Shamir durch Itzhak Rabin abgelöst wurde. Parallel zu den offiziellen israelisch-jordanisch-palästinensischen Verhandlungen wurden ab Frühjahr 1993 israelisch-palästinensische Geheimverhandlungen in Oslo geführt. Ergebnis war die israelisch-palästinensische Prinzipienklärung vom September 1993. Die gegenseitige Anerkennung Israels und der PLO und die Einigung auf einen Prozeß, der zur friedlichen Lösung des Kernkonflikts im Nahen Osten führen sollte, ebneten wiederum den Weg für die arabischen Staaten, mit Israel über Friedensverträge zu verhandeln.

**Jordanien** schloß im Oktober 1994 einen Friedensvertrag mit Israel ab, der den Kriegszustand zwischen beiden Staaten beendete, die Grenzen und die Aufteilung des Jordanwassers festlegte und eine Zusammenarbeit insbesondere in den Bereichen Wirtschaft, Tourismus, Ressourcennutzung und Infrastruktur avisierte. Israel erkannte überdies die besondere Rolle des Haschemitischen Königreiches im Hinblick auf die islamischen Heiligen Stätten in Jerusalem an. Konkret wurden begrenzte Schritte zur Normalisierung der zwischenstaatlichen Beziehungen eingeleitet: direkte Telefonverbindungen wurden eingerichtet, die Elektrizitätsnetze verknüpft, neue Grenzübergänge eröffnet und eine grenzüberschreitende Zusammenarbeit der Polizei bei der Verbrechensbekämpfung initiiert.

Obwohl der Frieden zwischen den beiden Nachbarn gehalten hat, ist es doch ein »kalter Frieden« geblieben; ein substantieller Ausbau der Zusammenarbeit oder eine Normalisierung der gesellschaftlichen Beziehungen hat nicht stattgefunden. In Jordanien lehnen nach wie vor große Teile der Bevölkerung den Friedensvertrag ab. Diese Ablehnung ist nicht nur darauf zurückzuführen, daß Jordanien kaum von der erwarteten ökonomischen Friedensdividende profitiert und daß Israel nur formal das 1967 eroberte jordanische Gebiet zurückgegeben hat; ein Teil davon ist nach wie vor an Israel verpachtet. Sie gründet vor allem in der Verschlechterung des israelisch-palästinensischen Verhältnisses. Die Palästinenser beziehungsweise Jordanier palästinensischen Ursprungs stellen die Bevölkerungsmehrheit in Jordanien. Die gewalttätigen Auseinandersetzungen westlich des Jordans bedrohen insofern auch die israelisch-jordanischen Beziehungen und die Regimestabilität in Jordanien.

Auch **Syrien** und Israel führten ab 1992 erste ernsthafte Friedensgespräche. Nachdem Premierminister Rabin seine Bereitschaft zu einem vollständigem Rückzug israelischer Truppen von den 1967 besetzten Golanhöhen signalisiert hatte, kam es 1995/96 unter amerikanischer Vermittlung in Wye Plantation zu intensiven Verhandlungen, allerdings ohne daß eine Einigung erzielt werden konnte. Erst unter Premierminister Barak wurden die offiziellen Verhandlungen ab Dezember 1999 wieder aufgenommen. Strittig blieb der genaue Umfang eines »vollständigen Abzugs« Israels von den Golanhöhen; kontrovers war vor allem die Frage, wer die Kontrolle über den nordöstlichen Uferstreifen des See Genezareth haben würde. Einig war man sich auch nicht darüber, ob es zuerst einen israelischen Abzug und dann eine Normalisierung der Beziehungen geben solle oder andersherum. Vermittlungsversuche von US-Präsident Clinton im März 2000 blieben erfolglos. Seit dem Tode des syrischen Präsidenten Hafiz al-Asad im Juni 2000 haben keine offiziellen Verhandlungen mehr stattgefunden.

Im Mai 2000 zog die israelische Armee aus dem Süd-Libanon ab, ohne dies mit Syrien oder **Libanon** ausgehandelt zu haben. Damit wurde die territoriale Integrität des Libanon nach 22 Jahren Besatzung wiederhergestellt. Im Juni 2000 bestätigten die Vereinten Nationen, daß Israel die Sicherheitsratsresolution 425 erfüllt, also den Libanon vollständig verlassen habe. Ein Friedensabkommen zwischen den beiden Staaten, das den Grenzverlauf, die Wassernutzung, die Flüchtlingsfrage etc. vertraglich regeln würde, steht aber nach wie vor aus. Es würde eine

israelische Einigung mit der Schutzmacht Syrien voraussetzen. Sowohl Syrien als auch der Libanon haben immer wieder betont, daß die syrische und die libanesische Verhandlungsschiene nicht zu trennen sind. Immerhin hat sich die Sicherheitslage im Norden Israels bereits erheblich verbessert – selbst wenn die libanesische Regierung es bislang versäumt hat, ihre Autorität im Süd-Libanon wiederherzustellen, und Hizbollah daran gelegen ist, die Spannungen in der Grenzregion aufrechtzuerhalten.<sup>1</sup>

## Der Oslo-Prozeß<sup>2</sup>

Im Sommer 1993 einigten sich Israel und die PLO in Geheimverhandlungen in Oslo auf ihre gegenseitige Anerkennung sowie auf eine fünfjährige Übergangsperiode palästinensischer Selbstverwaltung. Innerhalb dieses Zeitraums sollten israelische Truppen in drei Etappen aus dem Großteil der 1967 besetzten palästinensischen Gebiete West Bank und Gaza-Streifen abziehen, sollte eine zu errichtende palästinensische Behörde dort Selbstverwaltungs- und Ordnungskompetenzen übernehmen und sollte ein endgültiges Friedensabkommen ausgehandelt werden. Nach einer Periode der Vertrauensbildung, das war die Hoffnung, würden die Konfliktpartner in der Lage sein, nicht nur den völkerrechtlichen Status und die Grenzen des palästinensischen Gemeinwesens, sondern auch die zentralen Probleme im bilateralen Verhältnis zu regeln: die Zukunft der israelischen Siedlungen in den besetzten Gebieten, die Wasseraufteilung, die Rückkehr beziehungsweise Entschädigung der palästinensischen Flüchtlinge, die Herrschaft über Jerusalem sowie beiderseits befriedigende Sicherheitsvorkehrungen. Die Verhandlungen über den endgültigen Status sollten im dritten Jahr der Übergangsperiode, das heißt ab Mai 1996, aufgenommen und binnen zwei

<sup>1</sup> Das Gebiet der Shebaa-Farmen am Fuße des Berges Hermon bleibt umstritten. Nach libanesischer (und syrischer) Interpretation liegt es auf libanesischem Territorium. Da Israel das Gebiet nicht vollständig geräumt habe, sei auch der israelische Abzug aus dem Libanon nicht vollständig. Dies rechtfertigt in den Augen der Hizbollah anhaltenden Widerstand. Nach Interpretation Israels liegt das Gebiet auf syrischem Territorium, Israel ist demnach vollständig aus dem Süd-Libanon abgezogen.

<sup>2</sup> Zu den grundlegenden Oslo-Verträgen zählen die israelisch-palästinensische Prinzipienerklärung vom 13.9.1993, das Pariser Protokoll vom 29.4.1994, das Gaza-Jericho-Abkommen vom 4.5.1994 und das Interimsabkommen vom 28.9.1995.



Jahren abgeschlossen werden. Vorkehrungen für den Fall, daß es in der Übergangsperiode nicht zu einer Einigung auf einen endgültigen Status kommen würde, wurden nicht getroffen.

### **Truppenabzug aus den palästinensischen Städten und Fortdauer der Besatzung**

Während in der ersten Phase der Abzug israelischer Truppen aus den palästinensischen Bevölkerungszentren plangemäß bis Ende 1995 vollzogen wurde, wurden die Umgruppierungen in der zweiten Phase nur zum Teil und mit starken Verzögerungen durchgeführt. Die dritte Phase steht nach wie vor aus. Mit dem Interimsabkommen von 1995 wurde die West Bank in Gebiete mit unterschiedlichem Status und je eigenen Kompetenzen für Israel und die PA unterteilt (sogenannte A-, B- und C-Gebiete). Nach den letzten Truppenumgruppierungen im März 2000 besaß die PA in rund 60 Prozent des Gaza-Streifens und 17,2 Prozent der West Bank »vollständige« Selbstverwaltungs- und Ordnungskompetenzen (sogenannte A-Gebiete). Nach wie vor standen rund 40 Prozent des Gaza-Streifens und fast 60 Prozent der Westbank unter direkter israelischer Besatzung.<sup>3</sup> Zudem handelte es sich bei den palästinensisch kontrollierten Gebieten – trotz der vertraglichen Festlegung, daß die Einheit des palästinensischen Territoriums während der Interimsperiode gewahrt bleiben sollte – um voneinander isolierte Enklaven, die von israelischen Militärstützpunkten, Siedlungen, Verbindungsstraßen und landwirtschaftlichen Gebieten gleichsam umschlossen waren. Die territoriale Einheit des palästinensischen Gebietes war damit zu keiner Zeit gegeben. Sogenannte »safe passages« zwischen Gaza-Streifen und West Bank wurden zwar ausgeschildert, blieben aber unter israelischer Kontrolle. Darüber hinaus kontrollierte Israel mittels eines Genehmigungssystems den Zugang von Palästinensern nach Israel, und damit auch in das annektierte Ost-Jerusalem, sowie durch ein System sogenannter »interner Abriegelungen« die Mobilität zwischen den verschiedenen palästinensischen Gebieten mit unterschiedlichem Status. Die Besatzungsmacht blieb folglich für die palästinensische Bevölkerung allgegenwärtig, auch wenn sie sich aus den Stadtzentren zurückgezogen hatte.

<sup>3</sup> Dies galt bis zur wiederholten Wiederbesetzung palästinensischer Städte seit der »Operation Defensive Shield« im Frühjahr 2002.

### **Palästinensische Selbstverwaltung**

Um die Übertragung der Selbstverwaltungs- und Ordnungskompetenzen zu ermöglichen, wurden der zu errichtenden palästinensischen Behörde mit der Prinzipienerklärung von 1993 zunächst legislative und exekutive Kompetenzen zugesprochen. Die neuen Ämter sollte vorerst die Spitze der PLO unter Leitung ihres Vorsitzenden, Jasir Arafat, besetzen; die Behörde sollte erst später demokratisch legitimiert werden. Im Interimsabkommen folgten dann Vorkehrungen für die Wahl eines Präsidenten und eines Legislativrates sowie allgemeine Festlegungen zum palästinensischen Regierungssystem – wie die Forderung nach offener Regierungsführung, Rechtsstaatlichkeit, Demokratie, Gewaltenteilung, Gleichheit vor dem Gesetz und die Gewährung von Bürgerrechten. Die Kompetenzverteilung zwischen Legislativrat und Präsident, eine Rechenschaftspflicht der Exekutive gegenüber dem Rat oder parlamentarische Kontrollmöglichkeiten wurden darin nicht geregelt. Auch das Verhältnis zwischen PLO und PA wurde im Interimsabkommen nicht näher bestimmt. Insgesamt blieben die Bestimmungen vage, die den Aufbau staatlicher Strukturen und die Ausgestaltung des politischen Systems betrafen. Diese Fragen sollten in einem vom Palästinensischen Rat zu beschließenden Grundgesetz geregelt werden.

### **Die wirtschaftliche Dimension**

Mit dem Pariser Protokoll über wirtschaftliche Beziehungen vom Mai 1994 wurde die einseitige und partielle wirtschaftliche Integration der palästinensischen Gebiete in die israelische Volkswirtschaft, wie sie sich im Laufe der Besatzungsherrschaft herausgebildet hatte, im Rahmen einer Zoll- und Währungsunion fortgeschrieben. Festgelegt wurde auch das Prinzip offener Grenzen für landwirtschaftliche und industrielle Produkte sowie die grundsätzliche Zulassung von Arbeitskräften der jeweils anderen Seite. In der Praxis handhabte Israel diese Zulassung unilateral nach politischen und Sicherheitsgesichtspunkten. Beide Seiten verpflichteten sich zu enger wirtschaftlicher Kooperation, unter anderem durch die Einrichtung von Industrieparks.

Zwar wurden der PA einige Kompetenzen im Bereich des Versicherungs- und Bankwesens sowie der direkten und indirekten Besteuerung übertragen, und

das Protokoll sah die Errichtung einer palästinensischen Tourismus- und einer Währungsbehörde vor. Eine eigenständige Geldpolitik konnte die PA aber ohne eigene Währung nicht betreiben. Ebenfalls versperrt war ihr eine eigene Handelspolitik, da das Pariser Protokoll eine Bindung der palästinensischen Importzölle und Mehrwertsteuersätze an die israelischen Größen vorsah, Umfang und Partner des palästinensischen Außenhandels im Vertrag detailliert festgelegt waren und von Israel über die Kontrolle der Außengrenzen reguliert wurden.

Tatsächlich bildete das Abkommen damit die Grundlage für die Beibehaltung einer weitgehenden israelischen Kontrolle über die palästinensische Wirtschaft und den palästinensischen Außenhandel, bei weitgehender Trennung der Arbeitsmärkte sowie der Sozialversicherungs- und Steuersysteme. In diesem Sinne, und um den palästinensischen Behörden ein laufendes Einkommen zu gewährleisten, verpflichtete sich Israel im Pariser Protokoll, der PA einen monatlichen Ausgleich für die Mehrwertsteuern auf den israelisch-palästinensischen Handel, die an den Außengrenzen erhobenen Zölle auf Importe in die palästinensischen Gebiete sowie mindestens drei Viertel der von palästinensischen Arbeitskräften in Israel geleisteten Einkommenssteuern und Krankenversicherungsbeiträge zu überweisen.

### Gescheiterte Vertrauensbildung

Entgegen den Vorstellungen und Hoffnungen ist die Interimsperiode keine Zeit der Annäherung und Vertrauensbildung geworden. Einer der Hauptgründe liegt im Versäumnis der Führungseliten beider Seiten, konsequent für eine Friedenslösung und die damit notwendigerweise verbundenen Kompromisse einzutreten und ebenso konsequent gegen die entschlossen und gewalttätig agierenden Friedensgegner vorzugehen.

Unter den israelischen Regierungschefs Jitzhak Rabin (1992–1995) und Shimon Peres (1995–1996) gelang es zwar durchaus, Vertrauen zwischen den Führungsebenen beider Seiten aufzubauen. Gaben die Labour-Premiers ihrem palästinensischen Gegenüber doch das Gefühl, als Partner akzeptiert zu sein. Und obwohl sie den Siedlungsbau vorantrieben und Verzögerungen bei der Umsetzung der Abkommen zuließen, konnten sie glaubhaft machen, daß sie am Friedensprozeß festhalten würden. Auch der Enthu-

siasmus der palästinensischen Bevölkerung angesichts der ersten greifbaren Schritte auf dem Weg zur Selbstbestimmung – Abzug der israelischen Armee aus den Zentren der palästinensischen Städte Ende 1995 und erste »nationale« Wahlen in der West Bank, im Gaza-Streifen und in Ost-Jerusalem im Januar 1996 – trug zur Verbreitung positiver Stimmung bei.

Aber das Vertrauen, das die palästinensische Führung und Bevölkerung gefaßt hatte, wurde während der Regierungszeit Benjamin Netanjahus (1996–1999) aufgrund dessen ablehnender Haltung gegenüber dem Oslo-Prozeß zunichte gemacht und konnte auch von seinen Nachfolgern Barak (1999–2001) und Sharon (seit Februar 2001) nicht wieder zurückgewonnen werden. Seit dem Abschluß des Interimsabkommens im September 1995, das die palästinensische Selbstverwaltung von Gaza und Jericho (seit Mai 1994) letztlich auf die gesamte West Bank ausweiten sollte – freilich unter Ausschluß Ost-Jerusalems und der Siedlungen –, gab es keinen Durchbruch mehr bei den Verhandlungen. Die Umsetzung der bisherigen Vereinbarungen verzögerte sich zusehends. Infolge der Ermordung des israelischen Premierministers Itzhak Rabin im November 1995 und insbesondere unter der Netanjahu-Regierung geriet der Friedensprozeß in eine Zeit schwerer Krisen, gekennzeichnet durch die verzögerte Umsetzung der Abkommen, die zeitweise Aussetzung von Verhandlungen, Terroranschläge, wiederholte Abriegelung der palästinensischen Gebiete, verstärkte Siedlungstätigkeit<sup>4</sup> sowie, im Herbst 1996, erstmals auch massive gewalttätige Auseinandersetzungen (die sogenannten »Tunnelunruhen«).

In allen späteren Abkommen – Hebron (Januar 1997), Wye (November 1998) und Sharm al-Sheikh (September 1999) – bekräftigten die jeweiligen israelischen Regierungen und die palästinensische Führung lediglich ihren Willen, den Prozeß fortzuführen, und spalteten die Implementierung der Vereinbarungen in immer kleinere Einheiten auf. Auch die Verhandlungen über den endgültigen Status wurden nicht, wie vorgesehen, vom dritten Jahr der Interimsperiode an, sondern erst in der in Sharm al-Sheikh im September 1999 beschlossenen einjährigen »Verlängerungsrunde« geführt. Der als Termin für ein endgültiges Abkommen zwischen Israel und der PLO festgesetzte 13. September 2000 verstrich dennoch ohne Einigung,

<sup>4</sup> Seit Oslo hat sich die Zahl der Siedler in West Bank und Gaza-Streifen nahezu verdoppelt. Vgl. die Zahlenangaben bei *Foundation for Middle East Peace*, *Israeli Settlements in the Occupied Territories: A Guide*, Washington, D.C., March 2002, <[http://www.fmep.org/reports/2002/SR\\_March\\_2002.pdf](http://www.fmep.org/reports/2002/SR_March_2002.pdf)>.

nachdem die Verhandlungen in Camp David im Juli 2000 gescheitert waren. Obwohl in Camp David zum ersten Mal auf höchster Ebene über die komplexen Fragen des endgültigen Status verhandelt wurde und die israelische Seite territoriale Vorschläge für eine Zwei-Staaten-Option unterbreitete, blieben die israelischen Angebote doch weit von den palästinensischen Minimalforderungen entfernt: einem zusammenhängenden Staatsgebiet im wesentlichen in den Grenzen von 1967, inklusive Ost-Jeruselems, und einer Lösung der Flüchtlingsfrage auf Basis der Sicherheitsratsresolution 194. Israel wollte hingegen die großen Siedlungsblöcke in der West Bank annektieren und die Souveränität über ganz Jerusalem behalten. Ein individuelles Rückkehrrecht für palästinensische Flüchtlinge lehnte es ab. Eine Einigung konnte daher nicht erzielt werden.<sup>5</sup>

### Das Scheitern des Oslo-Regimes und der Ausbruch der Intifada

Im Herbst 2000 brach das in Oslo vereinbarte Konfliktmanagement zusammen. Der Konflikt eskalierte in gewalttätige Auseinandersetzungen von ungekannter Schärfe, die bald auch die grundlegenden Errungenschaften des Oslo-Prozesses in Frage stellten, und zwar sowohl was das bilaterale Verhältnis und die Art der Konfliktaustragung als auch was den Status und die Kompetenzen der PA anging. Auslöser der gewalttätigen Auseinandersetzungen waren der demonstrative Besuch des damaligen israelischen Oppositionsführers Ariel Sharon auf dem Tempelberg am 28. September 2000 und die blutige Niederschlagung der palästinensischen Proteste, die ihm folgten. Ursächlich für die Zweite oder *Al-Aqsa-Intifada* waren jedoch die angestauten Frustrationen in der palästinensischen Bevölkerung über einen Friedensprozeß, der ihnen in den letzten sieben Jahren weder ein Ende der

Besatzung noch eine greifbare ökonomische Friedensdividende gebracht hatte. Statt dessen hatten sie ständige Mobilitätseinschränkungen erfahren, verbunden mit den Demütigungen an den Checkpoints, und sie hatten den andauernden Bau von Siedlungen und Siedlerstraßen mitansehen müssen. Die Fortsetzung des Oslo-Prozesses schien in den Augen vieler Palästinenser nur auf eine Verfestigung israelischer Dominanz und, als Folge des fortgeführten Siedlungsbaus, auf einen immer kleineren und aufgrund der Zersplitterung letztlich nicht lebensfähigen palästinensischen Staat hinauszulaufen. Die Camp-David-Verhandlungen schienen diese Interpretation zu bestätigen.

Ein bedeutender Teil der Unzufriedenheit der palästinensischen Bevölkerung richtete sich allerdings auf die eigene Führung. In vielen Kreisen galt sie als Handlangerin Israels bei der Unterdrückung legitimer palästinensischer Interessen. Auch wurden ihr Selbstbereicherung, Korruption, Vetternwirtschaft und Repression vorgeworfen. Insbesondere vor dem Hintergrund der langjährigen Erfahrung der Palästinenser mit Besatzung und Fremdherrschaft wurde die PA von vielen als weiterer Repressionsapparat, nicht aber als legitime Regelungsinstanz wahrgenommen, die im Sinne des Gemeinwohls handelt.<sup>6</sup>

### Die Eskalation der Gewalt

Innerhalb weniger Monate entwickelte sich aus zunächst relativ friedlichen Massenprotesten ein bewaffneter Kampf militanter palästinensischer Gruppierungen, die sich mehr und mehr in nur lose miteinander verbundenen, aber zum Teil überfraktionell kooperierenden Zellen organisierten. Ihre Angriffe richteten sich zunehmend nicht nur gegen militärische Einrichtungen und Siedlungen in den besetzten Gebieten, sondern auch gegen die Zivilbevölkerung in Israel. Die israelische Führung reagierte mit massiver Gewaltanwendung, Kollektivstrafen und der Liquidierung von Führungspersonal militanter palästinensischer Gruppierungen.

Seit Sommer 2001 führte das israelische Militär Durchsuchungs-, Verhaftungs- und Einschüchterungsaktionen in den palästinensischen Städten durch, seit

<sup>5</sup> Vgl. für die unterschiedlichen Positionen der Konfliktparteien und Interpretationen der Camp-David-Verhandlungen die Artikelreihe in der *New York Review of Books*: Robert Malley/Hussein Agha, *Camp David: The Tragedy of Errors*, 9.8.2001; Dennis Ross/Gidi Grinstein, *Camp David: An Exchange*, 20.9.2001; Hussein Agha/Robert Malley, *Reply*, 20.9.2001; Benny Morris/Ehud Barak, *Camp David and After: An Exchange* (Interview with Ehud Barak), 13.6.2002; Hussein Agha/Robert Malley, *Camp David and After: An Exchange* (Reply to Ehud Barak), 13.6.2002; Benny Morris/Ehud Barak, *Camp David and After – Continued*, 27.6.2002; Hussein Agha/Robert Malley, *Reply*, 27.6.2002 (alle Artikel unter <<http://www.nybooks.com/archives/>>).

<sup>6</sup> Vgl. *Jerusalem Media and Communication Center (JMCC)*, *Popular Trust and Distrust in Palestinian Politicians and Factions. Analysis of Palestinian Public Opinion on Politics*, Jerusalem 2000, S. 5–10.

Frühjahr 2002 (Operation »Defensive Shield«) sind die palästinensischen Städte (mit Ausnahme Jerichos) sowie viele Dörfer in der West Bank mehrfach und zum Teil monatelang wiederbesetzt worden. Die Sharon-Regierung hat den palästinensischen Präsidenten nicht mehr als Ansprechpartner akzeptiert, unter faktischen Hausarrest gestellt, isoliert und mehrmals wochenlang belagern lassen. Infolge der israelischen Angriffe auf Einrichtungen der PA, insbesondere der Sicherheitsorgane (Polizeistationen, Gefängnisse, PA-Hauptquartiere in Gaza und Ramallah, Gebäude der Preventive Security etc.) und der Verwaltungseinrichtungen (etwa des Statistischen Amtes), hat die PA zunehmend an Ordnungs- und Selbstverwaltungsfähigkeit verloren. Zudem hatten die Auseinandersetzungen dramatische Auswirkungen auf die wirtschaftliche Lage sowohl in den palästinensischen Gebieten als auch in Israel, in den palästinensischen Gebieten kam es zu Massenarbeitslosigkeit und -armut.

Die Intifada hat noch eine weitere Dynamik in Gang gesetzt: Im Juni 2002 begann die israelische Regierung mit dem Bau eines sogenannten »Sicherheitszaunes«, der verhindern soll, daß etwaige Attentäter über die Grüne Linie von der West Bank nach Israel gelangen.<sup>7</sup> Die bis zu acht Meter hohe und zusätzlich mit Gräben umgebene und mit elektronischen Einrichtungen versehene Mauer soll jegliche Bewegung von Palästinensern zwischen West Bank und Israel sowie, durch weitere Zäune ergänzt, zwischen West Bank und Ost-Jerusalem unterbinden. Im Unterschied dazu wird es den Siedlern nach wie vor möglich sein, die wenigen, von Israel kontrollierten Grenzübergänge zu passieren. Daß die Mauer durchweg einige hundert Meter, teilweise bis zu mehreren Kilometern östlich der Grenzlinie von 1967 gebaut wird, bedeutet die Zerstörung von landwirtschaftlichen Flächen und Häusern und erfordert umfangreiche Landenteignungen. Ganze Ortschaften östlich der Grünen Linie, aber westlich der Mauer bleiben gänzlich isoliert zurück. Andere Städte, wie Qalqilya in der nördlichen West Bank, werden nahezu vollständig von der Mauer umschlossen oder, wie Bethlehem, durch die Mauer geteilt. Auf diese Weise wird nicht nur eine neue geopolitische Realität geschaffen, die sich auf die künftige Grenzziehung auswirken wird. Entlang der Mauer ist auch ein

schleichender Bevölkerungstransfer eingeleitet worden.<sup>8</sup> Eine weitere Mauer, die die palästinensischen Gebiete von Osten – westlich des Jordantals – umschließen soll, ist in Planung.

### **Regionale Auswirkungen und internationale Vermittlungsbemühungen**

Die gewalttätigen israelisch-palästinensischen Auseinandersetzungen haben sich negativ auch auf die umfassenderen israelisch-arabischen Beziehungen ausgewirkt. Während die Bevölkerungen insbesondere der benachbarten Staaten phasenweise massiv ihre Solidarität mit den Palästinensern bekundeten, waren die arabischen Regime in erster Linie daran interessiert, keine Instabilität in ihre eigenen Staaten hineintragen zu lassen. Keiner der arabischen Staaten, die einen Friedensvertrag mit Israel geschlossen haben, hat die diplomatischen Beziehungen abgebrochen oder den israelischen Botschafter ausgewiesen. Aufrufe zur Wiederinkraftsetzung des Boykotts gegen Israel wurden nicht befolgt.

Gleichzeitig hat sich die Mehrheit der arabischen Regierungen bemüht, konstruktiv zu einer Deeskalation beziehungsweise einer Konfliktlösung beizutragen. Ein erster Versuch war die jordanisch-ägyptische Initiative, die im April 2001 durch vertrauensbildende Maßnahmen, die Wiederaufnahme der Verhandlungen und ein internationales Monitoring eine weitere Eskalation verhindern wollte. Von besonderer Bedeutung war die im März 2002 von der Arabischen Liga in Beirut verabschiedete Friedensinitiative, die der saudische Kronprinz Abdallah eingebracht hatte. Im Austausch für eine vollständige Beendigung der Besetzung arabischen Landes, der Anerkennung eines palästinensischen Staates in den Grenzen von 1967 und einer einvernehmlichen Lösung der Flüchtlingsfrage auf der Basis von Sicherheitsratsresolution 194 wurde Israel darin angeboten, den Konflikt vollständig zu beenden, gutnachbarliche Beziehungen und ein friedliches Nebeneinander in der Region aufzubauen. Damit sollte vor allem vielen Israelis die Angst genommen werden, daß die Räumung der besetzten Gebiete für die arabischen

<sup>7</sup> Zu den sicherheitspolitischen Gründen für den Mauerbau vgl. Yuval Elizur, Israel Banks on a Fence, in: Foreign Affairs, 82 (März/April 2003) 2, S. 106–119.

<sup>8</sup> Für eine (vorläufige) Bewertung der Auswirkungen des Mauerbaus vgl. The Impact of Israel's Separation Barrier on Affected West Bank Communities. Report of the Mission to the Humanitarian and Emergency Policy Group (HEPG) of the Local Aid Coordination Committee (LACC), 4.5.2003, <<http://www.reliefweb.int/hic-opt/docs/HEPG/Wallreport.pdf>>.

Staaten nur eine erste Etappe auf dem Weg zur Vernichtung Israels sein könnte. Allerdings konnte die Initiative vor dem Hintergrund massiver Diffamierungskampagnen gegen das saudische Regime seitens der israelischen und der amerikanischen Regierung im Kontext des 11. September 2001 nur geringen Einfluß auf die israelische Öffentlichkeit ausüben. Unglücklicherweise fiel die Veröffentlichung der Initiative mit einem Selbstmordattentat in der israelischen Küstenstadt Netanja zusammen, bei dem mehr als 25 Israelis ums Leben kamen. In der Folge wurde die »Operation Defensive Shield« eingeleitet.

So sind zunächst alle regionalen und internationalen Vermittlungsversuche und Friedensinitiativen – von der jordanisch-ägyptischen Initiative über den Mitchell-Report und das Tenet-Agreement bis hin zur Erklärung der Arabischen Liga – gescheitert. Sie haben weder eine dauerhafte Deeskalation der Auseinandersetzungen herbeiführen noch einen neuen Friedensprozeß anstoßen können. Das ist um so paradoxer, als *erstens* eine Zwei-Staaten-Lösung mit der Sicherheitsratsresolution 1397 vom 12. März 2002, dem erwähnten Beschluß der Arabischen Liga sowie der Rede des amerikanischen Präsidenten George W. Bush vom Juni 2002 umfassende internationale Unterstützung erfahren hat. *Zweitens* sind konkrete Möglichkeiten der Konfliktlösung zumindest in ihren Grundzügen seit den Verhandlungen von Taba im Januar 2001 und mit den sogenannten »Clinton-Parametern« vorgezeichnet worden. *Drittens* gibt es in beiden Bevölkerungen eine Mehrheit, die eine entsprechende Konfliktlösung grundsätzlich unterstützt. Erst mit der Veröffentlichung der *road map* ist ein neuer Prozeß der Konfliktlösung angestoßen worden.

Überblick über die Unterstützung der EU-Kommission für die Palästinenser und den Friedensprozeß seit Oslo  
(einschließlich MEDA-Programme, ausschließlich bilaterale Hilfe einzelner EU-Mitgliedstaaten), in Millionen Euro auf Verpflichtungsbasis

<i>Estimated breakdown by Category of Expenditure</i>	1994	1995	1996	1997	1998	1999	2000	2001	2002	1994-2002 by category
<b>Humanitarian Aid – ECHO interventions</b>	5,0	5,35	9,0	6,65	6,69	6,75	18,2	26,26	35,00	118,9
Emergency food aid, Post injury rehabilitation, Psycho-social support, Water, Electricity, Non-food humanitarian items, Shelter rehabilitation										
<b>Development assistance to PA + Palestinian NGOs</b>	74,08	68,76	50,53	45,92	61,68	57,3	32,05	5,19	97,18	492,69
Infrastructure, Health, Environment, Technical assistance, Judiciary, Human rights, Food security, NGO co-financing, Private sector, Risk capital and interest subsidies for EIB operations										
<b>Support to the Palestinian Administration to help meet urgent current expenses</b>	10,0	25,0	20,0	25,0	0,00	0,00	90,0	40,0	100,00	310,0
(including budgetary assistance as of 2000/2001 – subject to conditions on budgetary austerity, administrative and financial reform)										
<b>Middle East Peace Projects / People to People programme</b>	0,00	11,3	0,00	15,0	5,1	21,73	22,9	0,00	2,85	78,88
Israel/Arab/Palestinian co-operation on government and civil society level										
<b>CFSP Counter-Terrorism Programme</b>	0,00	0,00	0,00	7,2	0,00	0,00	6,19	3,81	0,00	17,2
CFSP budget, training of PA security services by Member States agencies										
<b>Assistance Grants Total</b>	89,08	110,41	79,53	99,77	73,47	85,78	169,34	75,26	235,03	1017,67
<b>EC Support to refugees through UNRWA</b>	31,8	32,9	34,2	35,3	38,5	38,3	40,24	57,25	55,00	363,49
contribution to UNRWA's general fund										
<b>Food Aid programme with UNRWA</b>	15,0	8,2	12,0	11,91	12,2	13,0	16,06	17,10	35,00	140,47
Food assistance through Relief & social services, Health and Education programmes, cash assistance to Special Hardship Cases										
<b>UNRWA total</b>	46,8	41,1	46,2	47,21	50,7	51,3	56,3	74,35	90,00	503,96
<b>Grants Total</b>	135,88	151,51	125,73	146,98	124,17	137,08	225,64	149,61	325,03	1521,63

Quelle: *Commission of the EU*, EC Assistance to the Palestinians and the Peace Process since Oslo, incl. the MEDA Programme (excl. bilateral Member States Assistance), 26.2.2003.

## Wichtige EU-Deklarationen zur Situation im Nahen Osten

### Erklärung des Europäischen Rates in Venedig am 13. Juni 1980 zum Nahen Osten

1. Die Staats- und Regierungschefs sowie die Außenminister hatten einen eingehenden Meinungsaustausch über die gegenwärtige Lage im Nahen Osten in allen ihren Elementen, einschließlich des gegenwärtigen Stands der Verhandlungen im Anschluß an die von Ägypten und Israel im März 1979 unterzeichneten Abkommen. Sie waren sich darin einig, daß die wachsenden Spannungen in dieser Region eine ernsthafte Gefahr darstellen und eine umfassende Lösung des israelisch-arabischen Konflikts notwendiger und dringender denn je machen.
2. Die neun Länder der Europäischen Gemeinschaft sind der Auffassung, daß die zwischen Europa und dem Nahen Osten bestehenden traditionellen Bindungen und gemeinsamen Interessen es ihnen zur Pflicht machen, eine besondere Rolle zu spielen, und sie heute dazu veranlassen, sich in konkreter Weise für den Frieden einzusetzen.
3. Hierbei stützen sich die neun Länder der Gemeinschaft auf die Entschlüsse 242 und 338 des Sicherheitsrats und auf die Positionen, die sie mehrfach zum Ausdruck gebracht haben, insbesondere in ihren Erklärungen vom 29. Juni 1977, vom 19. September 1978, vom 26. März und 18. Juni 1979 sowie in der in ihrem Namen am 25. September letzten Jahres von dem Außenminister Irlands vor der 34. Generalversammlung der Vereinten Nationen gehaltenen Rede.
4. Ausgehend von diesen Grundlagen ist der Augenblick gekommen, die Anerkennung und Verwirklichung der beiden von der Völkergemeinschaft weltweit bejahten Prinzipien zu fördern: des Existenzrechts und des Rechts auf Sicherheit aller Staaten der Region einschließlich Israels sowie der Gerechtigkeit für alle Völker, was die Anerkennung der legitimen Rechte des palästinensischen Volkes beinhaltet.
5. Alle Länder der Region haben das Recht, innerhalb sicherer, anerkannter und garantierter Grenzen in Frieden zu leben. Die Garantien für die Friedensregelung sollten auf Beschluss des Sicherheitsrats durch die Vereinten Nationen und gegebenenfalls auf der Grundlage anderer gegenseitig vereinbarter Verfahren gegeben werden. Die Neun erklären sich bereit, sich im Rahmen einer umfassenden Regelung an einem System konkreter und bindender internationaler Garantien, einschließlich solcher an Ort und Stelle, zu beteiligen.
6. Das Palästinenser-Problem, bei dem es sich nicht lediglich um ein Flüchtlingsproblem handelt, muß endlich eine gerechte Lösung finden. Das palästinensische Volk, das sich bewusst ist, als solches zu existieren, muß in die Lage versetzt werden, durch einen geeigneten und im Rahmen der umfassenden Friedensregelung definierten Prozeß sein Selbstbestimmungsrecht voll auszuüben.
7. Voraussetzung für die Verwirklichung dieser Ziele sind Zustimmung und Mitwirkung aller beteiligten Parteien hinsichtlich der Friedensregelung, die die Neun auf der Grundlage der in den oben erwähnten Erklärungen definierten Prinzipien sich zu fördern bemühen. Diese Prinzipien gelten für alle betroffenen Parteien, so auch für das palästinensische Volk und die PLO, die an der Verhandlung beteiligt werden muss.
8. Die Neun erkennen die besondere Bedeutung der Jerusalem-Frage für alle betroffenen Parteien an. Die Neun betonen, dass sie keinerlei einseitige Initiative hinnehmen, deren Ziel die Änderung des Status von Jerusalem wäre, oder und dass jede Vereinbarung über den Status der Stadt das Recht auf freien Zugang zu allen heiligen Städten garantieren sollte.
9. Die Neun erinnern an die Notwendigkeit, dass Israel, wie es dies hinsichtlich eines Teils von Sinai schon getan hat, die territoriale Besetzung beendet, die es seit dem Konflikt von 1967 aufrechterhält. Sie sind zutiefst überzeugt, dass die israelischen Siedlungen den Friedensprozeß im Nahen Osten ernsthaft behindern. Die Neun sind der Ansicht, dass diese Siedlungen ebenso wie die Änderungen in der Bevölkerungs- und Grundstücksstruktur in den besetzten arabischen Gebieten nach Völkerrecht ungesetzlich sind.
10. Ihrem Anliegen gemäß, der Gewalt ein Ende zu setzen, sind die Neun der Auffassung, dass nur der

Verzicht auf Gewalt und auf Gewaltandrohung von Seiten aller Parteien zu einem Klima des Vertrauens in der Region führen kann und dadurch ein Grundelement für eine umfassende Regelung des Nahost-Konflikts schafft.

11. Die Neun haben beschlossen, mit allen betroffenen Parteien die erforderlichen Kontakte aufzunehmen. Die Kontakte haben zum Ziel, Aufschluß über die Haltung der verschiedenen Parteien zu den in der Erklärung definierten Grundsätzen zu geben und im Lichte der Ergebnisse dieser Konsultation die Form, die eine von ihnen zu ergreifende Initiative annehmen könnte, festzulegen.

(Quelle: Bulletin des Presse- und Informationsamts der Bundesregierung, [17.6.1980], 71).

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### **Erklärung des Europäischen Rates in Cardiff am 15./16. Juni 1998 zum Nahen Osten**

1. Der Europäische Rat befaßte sich im Lichte der Besuche des Präsidenten des Europäischen Rates vom 17. bis 21. April und des Präsidenten des Rates vom 15. bis 18. März in der Region sowie der ständigen Kontakte des Vorsitzes und des Sonderbeauftragten zu den Parteien mit dem Stand des Friedensprozesses im Nahen Osten.
2. Der Europäische Rat erinnert an seine früheren Erklärungen, insbesondere an seinen Aufruf für Frieden im Nahen Osten vom 16./17. Juni 1997 in Amsterdam, und bekräftigt die am 12./13. Dezember 1997 in Luxemburg festgelegten Leitlinien für eine Politik der Europäischen Union, die darauf abzielt, Fortschritte zu erleichtern und das Vertrauen zwischen den Parteien wiederherzustellen.
3. Der Europäische Rat bekundet seine tiefe Besorgnis über den fortdauernden Mangel an Fortschritten im Friedensprozeß und die Bedrohung, die dies für die Stabilität und die Sicherheit in der Region darstellt. Er hebt hervor, daß alle betroffenen Parteien bei der Suche nach Frieden auf der Grundlage der einschlägigen Resolutionen des VN-Sicherheitsrates und der in Madrid und Oslo vereinbarten Grundsätze, einschließlich der vollständigen Umsetzung der Verpflichtungen aus den israelisch-palästinensischen Interimsabkommen und dem Hebron-Protokoll, Mut und Weitsicht an den Tag legen müssen.
4. Der Europäische Rat betont, daß die derzeitige Gelegenheit, Fortschritte im Verhältnis Israels zu den Palästinensern zu erzielen, nicht verpaßt werden darf. Er bekräftigt, daß die Europäische Union entschlossen die Bemühungen der Vereinigten Staaten unterstützt, die Parteien dazu zu bewegen, einem Bündel von Vorschlägen zuzustimmen, die – sollten sie angenommen werden – den Weg für die Umsetzung der bestehenden Abkommen und die Wiederbelebung der Gespräche über den endgültigen Status ebnen würden. In diesem Zusammenhang fordert der Europäische Rat Israel auf, das Recht der Palästinenser auf Selbstbestimmung anzuerkennen, ohne dabei die Option eines Staates auszuschließen. Er ruft gleichzeitig das palästinensische Volk auf, sein Bekenntnis zu dem legitimen Recht Israels auf ein Leben in sicheren und anerkannten Grenzen zu bekräftigen.
5. Der Europäische Rat ist auch tief besorgt über den Mangel an Fortschritten im Verhältnis Israels zu Syrien und Libanon und betont, daß die Bemühungen um diesbezügliche neue Impulse nicht nachlassen dürfen, damit ein umfassender Frieden auf der Grundlage des Prinzips »Land gegen Frieden« und der einschlägigen Resolutionen des VN-Sicherheitsrates erreicht werden kann. Der Europäische Rat begrüßt, daß Israel die Resolution 425 des VN-Sicherheitsrates angenommen hat, fordert aber den vollständigen und bedingungslosen Rückzug der israelischen Streitkräfte aus Südlibanon.
6. Der Europäische Rat begrüßt die positive Rolle der Europäischen Union im Nahost-Friedensprozeß und die diesbezüglichen Bemühungen des Sonderbeauftragten der EU. Dazu gehören die enge Beteiligung an den Gesprächen und Verhandlungen am 4./5. Mai in London über Wirtschaftsfragen in der Interimsphase, die Gemeinsame Erklärung über die Zusammenarbeit zwischen der EU und den Palästinensern im Sicherheitsbereich sowie ein intensiverer Kontakt mit den Parteien und den Vereinigten Staaten. Der Europäische Rat stellt fest, daß in jüngster Zeit positive Impulse erfolgt sind, unter anderem der französisch-ägyptische Friedensaufruf und die Vorschläge des Sonderbeauftragten; er ersucht den Rat »Allgemeine Angelegenheiten«, diese und andere mögliche Optionen im Lichte der Entwicklung weiterzuverfolgen.
7. Der Europäische Rat betont den Willen der Europäischen Union, alles in ihrer Macht Stehende zu tun, um den Friedensprozeß und diejenigen, die ihn voranbringen wollen, zu unterstützen und zu stärken.

(Quelle: <[http://www.europarl.eu.int/summits/car1\\_de.htm#6](http://www.europarl.eu.int/summits/car1_de.htm#6)>).



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### **Erklärung des Europäischen Rates in Berlin am 24./25. März 1999 zum Nahost-Friedensprozess**

1. Die Staats- und Regierungschefs der Europäischen Union bekräftigen erneut ihre Unterstützung für eine Verhandlungslösung im Nahen Osten, mit der die Grundsätze von »Land für Frieden« widerspiegelt und sowohl die kollektive als auch die individuelle Sicherheit des israelischen und des palästinensischen Volkes gewährleistet werden. In diesem Zusammenhang begrüßt die Europäische Union die Entscheidung des Palästinensischen Nationalrats und der mit ihm verbundenen Gremien, die Annullierung der Bestimmungen der PLO-Charta, in denen zur Zerstörung Israels aufgerufen wird, zu bekräftigen, und ihre Verpflichtung zur Anerkennung Israels und ein friedliches Miteinander aufrechtzuerhalten. Die Europäische Union ist jedoch weiterhin besorgt über den gegenwärtigen Stillstand des Friedensprozesses und ruft die Parteien dazu auf, die Vereinbarung von Wye River uneingeschränkt und unverzüglich umzusetzen.
2. Die Europäische Union ruft die Parteien ferner dazu auf, ihr Engagement für die Grundsätze zu bekräftigen, die im Rahmen der Abkommen von Madrid und Oslo sowie in Folgevereinbarungen festgelegt wurden, in Übereinstimmung mit den Resolutionen 242 und 338 des Sicherheitsrats der Vereinten Nationen. Sie ruft die Parteien nachdrücklich dazu auf, sich auf eine Verlängerung der in den Vereinbarungen von Oslo festgelegten Übergangsfrist zu verständigen.
3. Die Europäische Union fordert insbesondere eine baldige Wiederaufnahme der Verhandlungen über den endgültigen Status, die in den kommenden Monaten beschleunigt betrieben, zu einem zügigen Abschluß gebracht und nicht endlos verlängert werden sollen. Nach Auffassung der Europäischen Union sollte es möglich sein, die Verhandlungen innerhalb eines Jahres zum Abschluß zu bringen. Sie erklärt sich bereit, zur Erleichterung eines baldigen Verhandlungsabschlusses beizutragen.
4. Die Europäische Union ruft beide Parteien nachdrücklich dazu auf, alle Handlungen zu unterlassen, die dem Ergebnis der Verhandlungen über den endgültigen Status vorgreifen, und jede Handlung zu unterlassen, die gegen das Völkerrecht verstößt einschließlich jeder Siedlungstätigkeit, sowie gegen Aufwiegelung und Gewalt vorzugehen.

5. Die Europäische Union bekräftigt das dauerhafte und uneingeschränkte Recht der Palästinenser auf Selbstbestimmung einschließlich der Option für einen Staat und sieht einer baldigen Verwirklichung dieses Rechtes erwartungsvoll entgegen. Sie ersucht beide Parteien, sich aufrichtig und unbeschadet dieses Rechtes, das keinem Veto unterliegt, um eine Verhandlungslösung auf der Grundlage der bestehenden Vereinbarungen zu bemühen. Die Europäische Union ist der Überzeugung, daß die Schaffung eines demokratischen, existenzfähigen und friedlichen souveränen palästinensischen Staates auf der Grundlage bestehender Vereinbarungen und auf dem Verhandlungsweg die beste Garantie für die Sicherheit Israels und für seine Anerkennung als gleichwertiger Partner in der Region ist. Die Europäische Union erklärt sich bereit, die Anerkennung eines palästinensischen Staates im Einklang mit den oben genannten Grundsätzen zu gegebener Zeit in Erwägung zu ziehen.
6. Die Europäische Union ruft ferner zu einer baldigen Wiederaufnahme von Verhandlungen auf den Syrien und Libanon betreffenden Schienen des Friedensprozesses im Nahen Osten auf, die zur Umsetzung der Resolutionen des Sicherheitsrats der Vereinten Nationen 242, 338 und 425 führen sollen.

(Quelle: <[http://www.europarl.eu.int/summits/ber2\\_de.htm#partIV](http://www.europarl.eu.int/summits/ber2_de.htm#partIV)>).

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### **Erklärung des Europäischen Rates in Sevilla am 21./22. Juni 2002 zum Nahen Osten**

1. Die Krise im Nahen Osten hat einen dramatischen Wendepunkt erreicht. Eine weitere Eskalation wird dazu führen, dass die Situation außer Kontrolle gerät. Die Parteien können alleine zu keiner Lösung gelangen. Es besteht die dringende Notwendigkeit, dass die gesamte internationale Gemeinschaft politisch tätig wird. Dem Quartett kommt dabei eine Schlüsselrolle zu.
2. Der Europäische Rat unterstützt die baldige Einberufung einer internationalen Konferenz. Diese Konferenz sollte sich mit politischen wie auch mit sicherheits- und wirtschaftspolitischen Aspekten befassen. Sie sollte die Parameter für eine politische Lösung bekräftigen und einen realistischen und genauen Zeitplan aufstellen.
3. Der Europäische Rat verurteilt nachdrücklich

Terroranschläge jedweder Art gegen israelische Zivilisten. Der Friedensprozess und die Stabilität in der Region dürfen nicht die Geisel des Terrorismus sein. Der Kampf gegen den Terrorismus muss weitergehen; gleichzeitig sind aber auch die Verhandlungen über eine politische Lösung weiterzuführen.

4. Eine Lösung kann über Verhandlungen erzielt werden – und ausschließlich über Verhandlungen. Das Ziel besteht in der Beendigung der Besetzung und der baldigen Schaffung eines demokratischen, existenzfähigen und friedlichen souveränen palästinensischen Staates auf der Grundlage der Grenzen von 1967, wobei die Parteien erforderlichenfalls geringfügige Anpassungen vereinbaren können. Das Endergebnis sollte darin bestehen, dass zwei Staaten innerhalb sicherer und anerkannter Grenzen in Frieden nebeneinander leben und normale Beziehungen zu ihren Nachbarn unterhalten. In diesem Zusammenhang sollte eine angemessene Regelung des komplexen Themas Jerusalem sowie eine gerechte, durchführbare und vereinbarte Lösung des Problems der Palästinaflüchtlinge angestrebt werden.
5. Eine Reform der Palästinensischen Autonomiebehörde ist von wesentlicher Bedeutung. Der Europäische Rat erwartet von der Palästinensischen Autonomiebehörde, dass sie ihrer Zusage nachkommt, die Sicherheitskräfte zu reformieren, baldige Wahlen durchzuführen und politische und administrative Reformen in die Wege zu leiten. Die Europäische Union bekräftigt ihre Bereitschaft, diese Reformen weiterhin zu unterstützen.
6. Die militärischen Operationen in den Besetzten Gebieten sollten aufhören. Die Beschränkungen der Freizügigkeit sollten aufgehoben werden. Mauern werden keinen Frieden bringen.
7. Die Europäische Union ist bereit, einen umfassenden Beitrag zur Friedenskonsolidierung sowie zum Wiederaufbau der palästinensischen Wirtschaft als integralen Bestandteil der Entwicklung in der Region zu leisten.
8. Die Europäische Union wird mit den Parteien und mit ihren Partnern in der internationalen Gemeinschaft, im Besonderen mit den Vereinigten Staaten im Rahmen des Quartetts, zusammenarbeiten und jede Gelegenheit ergreifen, um Frieden zu schaffen

und allen Völkern in der Region eine lebenswürdige Zukunft zu beschieren.

(Quelle: <<http://ue.eu.int/newsroom/makeFrame.asp?MAX=1&BID=76&DID=72655&LANG=4&File=/pressData/de/ec/72655.pdf&Picture=0>>).

## Rocard-Siegman-Bericht: "Strengthening Palestinian Public Institutions"

"The Palestinian Authority administers 2,9 million people, a population greater than that of Mauritania, Gabon, Kuwait, Mongolia, or Slovenia. In fact, more than fifty member States of the United Nations have smaller populations than that of the Palestinian Authority. However, the Palestinian Authority is not yet a State". With this remark, Michel Rocard, former Prime Minister of France and current president of the Development and Co-operation Committee of the European Parliament, begins his preface to the report on "Strengthening Palestinian Public Institutions", prepared by an independent Task Force he chairs, under the sponsorship of the Council on Foreign Relations, with the support of the European Commission and Norway. The following is an excerpt of the key sections of this report, which concludes with a number of specific recommendations aimed at contributing to the strengthening of Palestinian public institutions as a key step for the success of the peace process in the region.

### The need for a capable Palestinian Authority

The Interim Period of Palestinian Self-Government Arrangements in the West Bank and Gaza Strip as stipulated in the Declaration of Principles signed by the Palestine Liberation Organization (PLO) and the State of Israel on September 13, 1993, came to an end on May 4, 1999. During that period the two parties signed additional agreements on the transfer of functional and territorial jurisdiction to the Palestinian Authority, which assumed direct responsibility for the conduct of daily life and for cooperation and coordination with Israel in a wide range of spheres. Progress toward a permanent settlement of the decades-old conflict between Palestinians and Israelis, as well as toward peaceful relations in the region, requires the establishment of a capable, credible, and meaningful Palestinian political entity. Good governance is a necessary condition for the success of the peace process, and therefore all parties bear a responsibility to assist and facilitate the strengthening of Palestinian public institutions. The United States, the European Union, Norway as chair of the international

donor community, and the international community as a whole hold this view firmly. They have demonstrated a sustained commitment to these goals, extending strong political support, reassurance, and diplomatic input to the process [...]. Moreover, the international community pledged USD 4,1 billion in assistance for Palestinian reconstruction and development in 1994–98, of which some USD 3,6 billion was committed for specific projects and USD 2,5 billion of which was actually disbursed by the end of 1998. Around 10 percent of total disbursement was directed toward Palestinian institution-building.

### Good governance

A primary goal of the Palestinian Authority, and of its partners and counterparts in Israel and the international community, should therefore be to achieve good governance, based on the following:

- a constitutional government, political accountability and judicial review;
- the transparent and accountable management of public resources;
- the rule of law and citizens' rights;
- democratic participatory politics and pluralist civil society; and
- an effective and responsive public administration.

### Diagnostic and prescription

The report performs both diagnostic and prescriptive functions with respect to the public institutions of the Palestinian Authority. Its three objectives are:

- to determine the actual condition and effectiveness of those institutions;
- to identify the difficulties they have encountered and the impediments to their effective functioning; and
- to propose practical measures to improve their effectiveness and credibility in the medium to long term.

## Four requirements

To these ends, the report assesses Palestinian public institutions in relation to the following four requirements:

- accountability to lawfully established political bodies legitimized by popular mandate;
- operation in accordance with a clear legal and regulatory framework, providing transparency, accountability, and judicial review;
- responsiveness to the participation and consultation of civil-society bodies, including non-governmental organizations, political parties, and the private sector; and
- effectiveness and efficiency in performing set tasks and mandates and in mobilizing and utilizing public resources.

## ... and four targeted audiences

The report is intended for use by four audiences:

- first, members of the executive, legislative, and judicial branches of the Palestinian Authority;
- second, senior civil servants and police officers in the Palestinian Authority;
- third, non-governmental organizations and other private-sector and civil-society associations in the West Bank and Gaza Strip; and
- fourth, the governments and multilateral institutions providing and coordinating international assistance to the Palestinians.

## Nature of the challenge

The Palestinian Authority assumed its responsibilities under conditions of particular adversity and complexity for a governing institution in a post-conflict situation. The Palestinian Authority was expected, under exceptionally difficult circumstances, to build public institutions capable of promoting good governance, a democratic political system and pluralist civil society, and a free market economy. By the end of the stipulated Interim Period, it was directly responsible for the civilian affairs of 95 percent of the Palestinians, other than those living in East Jerusalem. Yet the Palestinian Authority has lacked undisputed control over key resources such as land, water, and contiguous territory. It does not have exclusive jurisdiction over the legal and administrative systems that

serve its population, nor does it have unfettered access to external markets. A large share of its operating budget – 40 percent in 1998 – remains dependent on transfers of taxes and duties collected by Israel on its behalf, reaching 40 percent of the Palestinian Authority's domestic revenue in 1998.

## Land, movements, security, controls ...

Furthermore, by May 1999 Israel still exercised full control over 71 percent of the West Bank and 30 percent of the Gaza Strip, and over the movement of people and goods between the two areas and within them. Israel also held responsibility for overall security in an additional 19 percent of the West Bank that came under the territorial and functional control of the Palestinian Authority, and in which roughly half the local Palestinian population resided. Finally, Israel has retained complete control over all external borders, airspace, territorial waters, and the electromagnetic sphere of the West Bank and Gaza Strip. Within these parameters the Palestinian Authority was expected both to construct a pluralist political system and maintain law and order internally, and to enhance peace with Israel and security for Israelis externally.

## ... and political atmosphere

The Palestinian Authority has confronted these challenges in a political atmosphere that was highly charged and marred by violence. At the same time it was also required to pursue difficult negotiations with Israel over the transfer of additional territory, while dealing in a peaceful and orderly manner with issues of major contention such as Israeli settlement activity, house demolitions, and border closures.

## Much has been achieved ...

In the five years since its formation, the Palestinian Authority has succeeded in:

- establishing a functioning cabinet;
- conducting general elections for the Presidency and the Legislative Council;
- delivering education, health care, and other basic services;
- revitalizing tax collection;

- drafting enabling legislation and regulatory frameworks for the conduct of public administration and of private economic and commercial activity; and
- maintaining security and public law and order.

The Palestinian Authority should be measured against performance in the real world, not an ideal one. The Palestinian Authority has achieved levels of service delivery, revenue mobilization, financial accountability, and utilization of international assistance that are at least commensurate with, and in some aspects exceed, those in countries of comparable development and income. Recent data show an upward trend in key social and economic indicators. Because these important achievements tend to be overlooked in reports that focus primarily on remedial action, they deserve special emphasis.

### **... Yet, much remains to be done**

The Palestinian Authority suffers short-comings that range from insufficient institutionalization of citizens' rights and the concentration of executive power, through the use of large-scale public-sector hiring to ease unemployment and to reward political loyalty, to instances of police violence and flawed financial management. The Palestinian Authority faces the same dilemma as other emerging economies do [...]. It faces additional challenges that will impose an increasing burden on its human and financial resources and organizational capacity in the future. Foremost is a population with a very high natural growth rate that will add an estimated 1,8 million Palestinians to the 2,9 million already living in the West Bank and Gaza Strip, including East Jerusalem, by 2010. Additionally, since 1991 the West Bank and Gaza Strip have received large population inflows as Palestinians have lost residence and employment in Kuwait, Libya, and Algeria. To this must be added the potential impact of the possible return of Palestinian refugees of the 1948 and 1967 wars from the diaspora. Population growth poses an increasing demand for public infrastructure and services, and therefore a continuing need for appropriate expansion in public administration, hiring, and finance. This is a consideration that both the Palestinian Authority and the international donor community must take into account when recommending and designing reforms [...]. The Palestinian Authority and the public alike should conclude from the nature of these challenges

that present policy and practice cannot be sustained. The international community has recently pledged USD 3,3 billion in assistance for 1999–2004, but it neither will nor can maintain financial and technical assistance at these levels indefinitely, whatever its political commitment to Palestinian-Israeli peace and to Palestinian self-determination.

### **Strengthening institutions under adversity**

It must be recognized that the Palestinian Authority has had to establish and operate effective public institutions in a short time span within a framework of limited territorial jurisdiction; geographical fragmentation; non-sovereign control over land, population, and natural resources; and stringent security obligations toward Israel. The time-span and framework have often impeded the development of optimal institutional structure and proper practice. They also have imposed at times contradictory requirements on the Palestinian Authority in such areas as respect for human rights, freedom of political expression, and provision of security. The risk is that if present structures and practices go unreformed, they will shape and even predetermine future ones in negative ways. In the Palestinian view, many of the short-comings and tensions arising from institution-building during the Interim Period can be remedied only in the context of sovereign statehood. In this view, duality of control and confusion over the proper chain of command, as well as division of political authority between PLO bodies and the Palestinian Authority, exemplify the problems that arise because the Palestinians do not exercise their right to self-determination in the form of an independent state. Palestinian concern is understandable, especially if constitutional, political, and administrative arrangements designed for limited autonomy during the Interim Period were to acquire permanency, whether by design or by default.

### **Reforms that can be implemented**

Without prejudging the outcome of negotiations between the PLO and Israel, this report recommends reforms that are within the present powers of the Palestinian Authority to implement even under adverse circumstances. These recommendations are fundamental to the establishment of good govern

ance, a democratic political system and pluralist civil society, and sustainable development and a free market economy during the transition to the permanent settlement and beyond. Palestinians may regard these reforms as essential steps in the formation of an effective, efficient, and democratic state:

1. A formal constitution or Basic Law would set forth the fundamental principles underlying the establishment, functions, separation, autonomy, and accountability of the executive, legislative, and judiciary branches of government.
2. A leaner office of the presidency, transferring routine administrative and operational tasks to other offices, branches, and levels of government, would strengthen the president's ability to provide more efficient political, diplomatic, and national leadership, while enhancing the performance of those lesser tasks.
3. A more effective Legislative Council would exercise enforceable oversight and decision-making authority on broad policy and budgetary issues, and be responsible for receiving and implementing the external audit findings of a statutorily established General Control Institute.
4. A more independent judicial system, supervised by an autonomous Supreme Judicial Council, would enforce the rule of law, the primacy of contracts, and a newly integrated, harmonized national legal and regulatory framework more suitable to a free society and market.
5. More transparent, accountable, and unified financial operations would improve the cost-effectiveness of public administration and employment, the capability to anticipate increased needs of a rapidly growing population, and the comprehensiveness of both internal and external audits. They would also enhance public confidence.
6. A leaner public administration, with significantly reduced personnel, recruitment criteria based on merit, and a simpler organizational structure, would ease the financial burden and improve the effectiveness and efficiency of service delivery.
7. A civilian-controlled police force would be subject to political, legal, and financial oversight by the Legislative Council as well as the appropriate ministries, and its role, rules, and relationship to local government would be clear to all.

## Politics of reform

The principal challenge facing the development of effective public institutions is not technical, organizational, or financial, but political. The Palestinian Authority has considerable human resources at its disposal, with many highly qualified professionals and an educated and skilled workforce. In addition, it has the political goodwill and material support, both financial and technical, of the international community [...].

## Costs and risks

The most serious costs to the Palestinian Authority of shortcomings in its public institutions are also likely to be political. Opinion polls conducted in the West Bank and Gaza Strip regularly reveal dissatisfaction with the level of public services, a perception of waste and corruption in the public administration and police, and a loss of faith in the institutions of governance, particularly the Palestinian Legislative Council and the judiciary. These negative consequences have provided ammunition to the Palestinian Authority's detractors in the Palestinian opposition, in Israel, and abroad. Equally serious is the possible erosion of political support in the international donor community, with taxpayers and parliamentarians questioning the wisdom of directing a high proportion of a limited aid "pie" to the Palestinians instead of other developing countries. Not to reform is not an option. To strengthen and reform public institutions requires considerable political will and skills. To do so while conducting final-status negotiations with Israel and preparing for the transition to a permanent settlement and full self-determination requires even greater courage, foresight, and perseverance. These are qualities demonstrated by the Palestinian leadership, which has engaged constantly since 1994 in the arduous task of setting up effective self-government while negotiating further phases of the Interim Period. The Palestinian leadership needs to be strong, capable, and self-confident in order to meet the challenges ahead, and it is entitled to define and steer its own course accordingly. It should therefore see good governance, as well as the reforms intended to bring it about, as a source of strength. Integral to the Palestinians' exercise of genuine self-determination are the institutionalization of citizens' rights, establishment of the rule of law, creation of a viable and indepen

dent system of justice, empowerment of civil society, invigoration of the private sector, and delegation of authority and assertion of institutional autonomy throughout the public administration.

## **Main recommendations**

The report concludes with a number of specific recommendations on: Constitutionality; The Executive; The Legislature; The Judiciary; Public Administration; Personnel; Planning; Public Finance; Social Services; the Economy, and Police Force.

(Quelle: *Council of Foreign Relations*, Report of an Independent Task Force sponsored by the Council on Foreign Relations, with the financial support of the European Commission and Norway. Michel Rocard, Chairman. Henry Siegman, Project Director. Yezid Sayigh and Khalil Shikaki, Principal Authors, New York; 28. Juni 1988, Executive Summary; <[http://www.cfr.org/pubs/5536\\_english.pdf](http://www.cfr.org/pubs/5536_english.pdf)>.)

# Internationale Friedensinitiativen und Vorschläge für eine Konfliktlösung

## Clinton-Parameter vom 23. Dezember 2000

Following are the minutes of U.S. President Bill Clinton's comments at a meeting with Israeli and Palestinian representatives at the White House on December 23, 2000, as given to Ha'aretz by Palestinian sources.

### Territory

Based on what I heard, I believe that the solution should be in the mid-90 percents, between 94–96 percent of the West Bank territory of the Palestinian State. The land annexed by Israel should be compensated by a land swap of 1–3 percent in addition to territorial arrangements such as a permanent safe passage. The parties also should consider the swap of leased land to meet their respective needs. The Parties should develop a map consistent with the following criteria:

- 80 percent of settlers in blocks;
- contiguity;
- Minimize the annexed areas;
- Minimize the number of Palestinians affected.

### Security

The key lies in an international presence that can only be withdrawn by mutual consent. This presence will also monitor the implementation of the agreement between both sides. My best judgment is that the Israeli presence would remain in fixed locations in the Jordan Valley under the authority of the international force for another 36 months. This period could be reduced in the event of favorable regional developments that diminish the threat to Israel. On early warning stations, Israel should maintain three facilities in the West Bank with a Palestinian liaison presence. The stations will be subject to review every 10 years with any changes in the status to be mutually agreed. (According to the Israeli version of the minutes, Clinton said the stations would be subject

to review after 10 years.) Regarding emergency developments, I understand that you will still have to develop a map of the relevant areas and routes. I propose the following definition: Imminent and demonstrable threat to Israel's national security of a military nature that requires the activation of a national state emergency. Of course, the international forces will need to be notified of any such determination. On airspace, I suggest that the state of Palestine will have sovereignty over its airspace but that the two sides should work out special arrangements for Israeli training and operational needs. I understand that the Israeli position is that Palestine should be defined as a "demilitarized state" while the Palestinian side proposes "a state with limited arms." As a compromise, I suggest calling it a "non-militarized state." This will be consistent with the fact that in addition to a strong Palestinian security force, Palestine will have an international force for border security and deterrent purposes.

### Jerusalem

The general principle is that Arab areas are Palestinian and Jewish ones are Israeli. This would apply to the Old City as well. I urge the two sides to work on maps to create maximum contiguity for both sides. Regarding the Haram/Temple Mount, I believe that the gaps are not related to practical administration but to symbolic issues of sovereignty and to finding a way to accord respect to the religious beliefs of both sides. I know you have been discussing a number of formulations. I add to these two additional formulations guaranteeing Palestinian effective control over the Haram while respecting the conviction of the Jewish People. Regarding either one of those two formulations will be international monitoring to provide mutual confidence.

1. Palestinian sovereignty over the Haram and Israeli sovereignty over a) the Western Wall and the space sacred to Judaism of which it is a part or b) the Western Wall and the Holy of Holies of which it is a



- part. There will be a firm commitment by both not to excavate beneath the Haram or behind the Wall.
2. Palestinian sovereignty over the Haram and Israeli sovereignty over the Western Wall and shared functional sovereignty over the issue of excavation under the Haram and behind the Wall such that mutual consent would be requested before any excavation can take place.

## Refugees

I sense that the differences are more relating to formulations and less to what will happen on a practical level. I believe that Israel is prepared to acknowledge the moral and material suffering caused to the Palestinian people as a result of the 1948 war and the need to assist the international community in addressing the problem. The fundamental gap is on how to handle the concept of the right of return. I know the history of the issue and how hard it will be for the Palestinian leadership to appear to be abandoning the principle. The Israeli side could not accept any reference to a right of return that would imply a right to immigrate to Israel in defiance of Israel's sovereign policies and admission or that would threaten the Jewish character of the state. Any solution must address both needs. The solution will have to be consistent with the two-state approach: the state of Palestine as the homeland of the Palestinian people and the state of Israel as the homeland of the Jewish people. Under the two-state solution, the guiding principle should be that the Palestinian state should be the focal point for the Palestinians who choose to return to the area without ruling out that Israel will accept some of these refugees. I believe that we need to adopt a formulation on the right of return that will make clear that there is no specific right of return to Israel itself but that does not negate the aspiration of the Palestinian people to return to the area. I propose two alternatives:

1. both sides recognize the right of Palestinian refugees to return to historic Palestine, or
2. both sides recognize the right of Palestinian refugees to return to their homeland.

The agreement will define the implementation of this general right in a way that is consistent with the two-state solution. It would list the five possible homes for the refugees:

1. The State of Palestine;
2. Areas in Israel being transferred to Palestine in the land swap;
3. Rehabilitation in host country;
4. Resettlement in third country;
5. Admission to Israel.

In listing these options, the agreement will make clear that the return to the West Bank, Gaza Strip and area acquired in the land swap would be right to all Palestinian refugees, while rehabilitation in host countries, resettlement in third countries and absorption into Israel will depend upon the policies of those countries. Israel could indicate in the agreement that it intends to establish a policy so that some of the refugees would be absorbed into Israel consistent with Israel sovereign decision. I believe that priority should be given to the refugee population in Lebanon. The parties would agree that this implements Resolution 194.

## The End of Conflict

I propose that the agreement clearly mark the end of the conflict and its implementation put and end to all claims. This could be implemented through a UN Security Council Resolution that notes that resolutions 242 and 338 have been implemented and through the release for Palestinian prisoners.

(Quelle: President Clinton's Proposals, in: Le Monde Diplomatique, <<http://MondeDiplo.com/focus/mideast/a3271>>).

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## **“Moratinos Document” (Zusammenfassung des Stands der israelisch-palästinensischen Verhandlungen in Taba im Januar 2001)**

### **Introduction**

This EU non-paper has been prepared by the EU Special Representative to the Middle East Process, Ambassador Moratinos, and his team after consultations with the Israeli and Palestinian sides, present at Taba in January 2001. Although the paper has no official status, it has been acknowledged by the parties as being a relatively fair description of the outcome of the negotiations on the permanent status issues at Taba. It draws attention to the extensive work which has been undertaken on all permanent status issues like territory, Jerusalem, refugees and security in order to find ways to come to joint positions. At the same time it shows that there are serious gaps and differences between the two sides, which will have to be overcome in future negotiations. From that point of view, the paper reveals the challenging task ahead in terms of policy determination and legal work, but it also shows that both sides have traveled a long way to accommodate the views of the other side and that solutions are possible.

### **1. Territory**

The two sides agreed that in accordance with the UN Security Council Resolution 242, the June 4 1967 lines would be the basis for the borders between Israel and the state of Palestine.

#### **1.1 West Bank**

For the first time both sides presented their own maps over the West Bank. The maps served as a basis for the discussion on territory and settlements. The Israeli side presented two maps, and the Palestinian side engaged on this basis. The Palestinian side presented some illustrative maps detailing its understanding of Israeli interests in the West Bank. The negotiations tackled the various aspects of territory, which could include some of the settlements and how the needs of each party could be accommodated. The Clinton parameters served as a loose basis for the discussion, but differences of interpretations regarding the scope and meaning of the parameters emerged. The Palestinian

side stated that it had accepted the Clinton proposals but with reservations. The Israeli side stated that the Clinton proposals provide for annexation of settlement blocs. The Palestinian side did not agree that the parameters included blocs, and did not accept proposals to annex blocs. The Palestinian side stated that blocs would cause significant harm to the Palestinian interests and rights, particularly to the Palestinians residing in areas Israel seeks to annex. The Israeli side maintained that it is entitled to contiguity between and among their settlements. The Palestinian side stated that Palestinian needs take priority over settlements. The Israeli maps included plans for future development of Israeli settlements in the West Bank. The Palestinian side did not agree to the principle of allowing further development of settlements in the West Bank. Any growth must occur inside Israel. The Palestinian side maintained that since Israel has needs in Palestinian territory, it is responsible for proposing the necessary border modifications. The Palestinian side reiterated that such proposals must not adversely affect the Palestinian needs and interests. The Israeli side stated that it did not need to maintain settlements in the Jordan Valley for security purposes, and its proposed maps reflected this position. The Israeli maps were principally based on a demographic concept of settlements blocs that would incorporate approximately 80 percent on the settlers. The Israeli side sketched a map presenting a 6 percent annexation, the outer limit of the Clinton proposal. The Palestinian illustrative map presented 3.1 percent in the context of a land swap. Both sides accepted the principle of land swap but the proportionality of the swap remained under discussion. Both sides agreed that Israeli and Palestinian sovereign areas will have respective sovereign contiguity. The Israeli side wished to count “assets” such as Israel’s “safe passage/corridor” proposal as being part of the land swap, even though the proposal would not give Palestine sovereignty over these “assets”. The Israeli side adhered to a maximum 3 percent land swap as per Clinton proposal. The Palestinian maps had a similar conceptual point of reference stressing the importance of a non-annexation of any Palestinian villages and the contiguity of the West Bank and Jerusalem. They were predicated on the principle of a land swap that would be equitable in size and value and in areas adjacent to the border with Palestine, and in the same vicinity as the annexed by Israel. The Palestinian side further maintained that land not under Palestinian sovereignty such as the Israeli proposal regarding a “safe

passage/corridor” as well as economic interests are not included in the calculation of the swap. The Palestinian side maintained that the “No-Man’s-Land” (Latrun area) is part of the West Bank. The Israelis did not agree. The Israeli side requested an additional 2 percent of land under a lease arrangement to which the Palestinians responded that the subject of lease can only be discussed after the establishment of a Palestinian state and the transfer of land to Palestinian sovereignty.

### 1.2 Gaza Strip

Neither side presented any maps over the Gaza Strip. It was implied that the Gaza Strip will be under total Palestinian sovereignty, but details have still to be worked out. All settlements will be evacuated. The Palestinian side claimed it could be arranged in 6 months, a timetable not agreed by the Israeli side.

### 1.3 Safe Passage/Corridor from Gaza to the West Bank

Both sides agreed that there is going to be a safe passage from the north of Gaza (Beit Hanun) to the Hebron district, and that the West Bank and the Gaza Strip must be territorially linked. The nature of the regime governing the territorial link and sovereignty over it was not agreed.

## 2. Jerusalem

### 2.1 Sovereignty

Both sides accepted in principle the Clinton suggestion of having a Palestinian sovereignty over Arab neighborhoods and an Israeli sovereignty over Jewish neighborhoods. The Palestinian side affirmed that it was ready to discuss Israeli request to have sovereignty over those Jewish settlements in East Jerusalem that were constructed after 1967, but not Jebel Abu Ghneim and Ras al-Amud. The Palestinian side rejected Israeli sovereignty over settlements in the Jerusalem Metropolitan Area, namely of Ma’ale Adumim and Givat Ze’ev. The Palestinian side understood that Israel was ready to accept Palestinian sovereignty over the Arab neighborhoods of East Jerusalem, including part of Jerusalem’s Old City. The Israeli side understood that the Palestinians were ready to accept Israeli sovereignty over the Jewish Quarter of the Old City and part of the American Quarter. The Palestinian side understood that the

Israeli side accepted to discuss Palestinian property claims in West Jerusalem.

### 2.2 Open City

Both sides favored the idea of an Open City. The Israeli side suggested the establishment of an open city whose geographical scope encompasses the Old City of Jerusalem plus an area defined as the Holy Basin or Historical Basin. The Palestinian side was in favor of an open city provided that continuity and contiguity were preserved. The Palestinians rejected the Israeli proposal regarding the geographic scope of an open city and asserted that the open city is only acceptable if its geographical scope encompasses the full municipal borders of both East and West Jerusalem. The Israeli side raised the idea of establishing a mechanism of daily coordination and different models were suggested for municipal coordination and cooperation (dealing with infrastructure, roads, electricity, sewage, waste removal etc.). Such arrangements could be formulated in a future detailed agreement. It proposed a “soft border regime” within Jerusalem between Al-Quds and Yerushalaim that affords them “soft border” privileges. Furthermore the Israeli side proposed a number of special arrangements for Palestinian and Israeli residents of the Open City to guarantee that the Open City arrangement neither adversely affect their daily lives nor compromise each party sovereignty over its section of the Open City.

### 2.3 Capital for two States

The Israeli side accepted that the City of Jerusalem would be the capital of the two states: Yerushalaim, capital of Israel and Al-Quds, capital of the state of Palestine. The Palestinian side expressed its only concern, namely that East Jerusalem is the capital of the state of Palestine.

### 2.4 Holy/Historical Basin and the Old City

There was an attempt to develop an alternative concept that would relate to the Old City and its surroundings, and the Israeli side put forward several alternative models for discussion, for example, setting up a mechanism for close coordination and cooperation in the Old City. The idea of a special police force regime was discussed but not agreed upon. The Israeli side expressed its interest and raised its concern regarding the area conceptualized as the Holy Basin (which includes the Jewish Cemetery on the Mount of Olives, the City of David and Kivron Valley). The Palestinian side confirmed that it was willing to take into

account Israeli interests and concerns provided that these places remain under Palestinian sovereignty. Another option for the Holy Basin, suggested informally by the Israeli side, was to create a special regime or to suggest some form of internationalization for the entire area or a joint regime with special cooperation and coordination. The Palestinian side did not agree to pursue any of these ideas, although the discussion could continue.

### **2.5 Holy Sites: Western Wall and the Wailing Wall**

Both parties have accepted the principle of respective control over each side's respective holy sites (religious control and management). According to this principle, Israel's sovereignty over the Western Wall would be recognized although there remained a dispute regarding the delineation of the area covered by the Western Wall and especially the link to what is referred to in Clinton's ideas as the space sacred to Judaism of which it is part. The Palestinian side acknowledged that Israel has requested to establish an affiliation to the holy parts of the Western Wall, but maintained that the question of the Wailing Wall and/or Western Wall has not been resolved. It maintained the importance of distinguishing between the Western Wall and the Wailing Wall segment thereof, recognized in the Islamic faith as the Buraq Wall.

### **2.6 Haram al-Sharif/Temple Mount**

Both sides agreed that the question of Haram al-Sharif/Temple Mount has not been resolved. However, both sides were close to accepting Clinton's ideas regarding Palestinian sovereignty over Haram al-Sharif notwithstanding Palestinian and Israeli reservations. Both sides noted progress on practical arrangements regarding evacuations, building and public order in the area of the compound. An informal suggestion was raised that for an agreed period such as three years, Haram al-Sharif/Temple Mount would be under international sovereignty of the P5 plus Morocco (or other Islamic presence), whereby the Palestinians would be the "Guardian/Custodians" during this period. At the end of this period, either the parties would agree on a new solution or agree to extend the existing arrangement. In the absence of an agreement, the parties would return to implement the Clinton formulation. Neither party accepted or rejected the suggestion.

## **3. Refugees**

Non-papers were exchanged, which were regarded as a good basis for the talks. Both sides stated that the issue of the Palestinian refugees is central to the Israeli-Palestinian relations and that a comprehensive and just solution is essential to creating a lasting and morally scrupulous peace. Both sides agreed to adopt the principles and references which could facilitate the adoption of an agreement. Both sides suggested, as a basis, that the parties should agree that a just settlement of the refugee problem in accordance with the UN Security Council Resolution 242 must lead to the implementation of UN General Assembly Resolution 194.

### **3.1 Narrative**

The Israeli side put forward a suggested joint narrative for the tragedy of the Palestinian refugees. The Palestinian side discussed the proposed narrative and there was much progress, although no agreement was reached in an attempt to develop a historical narrative in the general text.

### **3.2 Return, Repatriation and Relocation and Rehabilitation**

Both sides engaged in a discussion of the practicalities of resolving the refugee issue. The Palestinian side reiterated that the Palestinian refugees should have the right of return to their homes in accordance with the interpretation of UNGAR 194 [UNGAR: UN General Assembly Resolution]. The Israeli side expressed its understanding that the wish to return as per wording of UNGAR 194 shall be implemented within the framework of one of the following programs:

- A. Return and repatriation
  - to Israel;
  - to Israel swapped territory;
  - to the Palestine state.
- B. Rehabilitation and relocation
  - Rehabilitation in host country;
  - Relocation to third country.

Preference in all these programs shall be accorded to the Palestinian refugee population in Lebanon. The Palestinian side stressed that the above shall be subject to the individual free choice of the refugees, and shall not prejudice their right to their homes in accordance with its interpretation of UNGAR 194. The Israeli side, informally, suggested a three-track 15-year absorption program, which was discussed but not

agreed upon. The first track referred to the absorption to Israel. No numbers were agreed upon, but with a non-paper referring to 25,000 in the first three years of this program (40,000 in the first five years of this program did not appear in the non-paper but was raised verbally). The second track referred to the absorption of Palestinian refugees into the Israeli territory, that shall be transferred to Palestinian sovereignty, and the third track referring to the absorption of refugees in the context of family reunification scheme. The Palestinian side did not present a number, but stated that the negotiations could not start without an Israeli opening position. It maintained that Israel's acceptance of the return of refugees should not prejudice existing programs within Israel such as family reunification.

### **3.3 Compensation**

Both sides agreed to the establishment of an International Commission and an International Fund as a mechanism for dealing with compensation in all its aspects. Both sides agreed that "small-sum" compensation shall be paid to the refugees in the "fast-track" procedure, claims of compensation for property losses below certain amount shall be subject to "fast-track" procedures. There was also progress on Israeli compensation for material losses, land and assets expropriated, including agreement on a payment from an Israeli lump sum or proper amount to be agreed upon that would feed into the International Fund. According to the Israeli side the calculation of this payment would be based on a macro-economic survey to evaluate the assets in order to reach a fair value. The Palestinian side, however, said that this sum would be calculated on the records of the UNCCP, the Custodian for Absentee Property and other relevant data with a multiplier to reach a fair value.

### **3.4 UNRWA**

Both sides agreed that UNRWA should be phased out in accordance with an agreed timetable of five years, as a targeted period. The Palestinian side added a possible adjustment of that period to make sure that this will be subject to the implementation of the other aspects of the agreement dealing with refugees, and with termination of Palestinian refugee status in the various locations.

### **3.5 Former Jewish Refugees**

The Israeli side requested that the issue of compensation to former Jewish refugees from Arab countries be recognized, while accepting that it was not a Palestinian responsibility or a bilateral issue. The Palestinian side maintained that this is not a subject for a bilateral Palestinian-Israeli agreement.

### **3.6 Restitution**

The Palestinian side raised the issue of restitution of refugee property. The Israeli side rejected this.

### **3.7 End of Claims**

The issue of the end of claims was discussed, and it was suggested that the implementation of the agreement shall constitute a complete and final implementation of UNGAR 194 and therefore ends all claims.

## **4. Security**

### **4.1 Early Warning Stations**

The Israeli side requested to have 3 early warning stations on Palestinian territory. The Palestinian side was prepared to accept the continued operations of early warning stations but subject to certain conditions. The exact mechanism has therefore to be detailed in further negotiations.

### **4.2 Military Capability of the State of Palestine**

The Israeli side maintained that the state of Palestine would be non-militarized as per the Clinton proposals. The Palestinian side was prepared to accept limitation on its acquisition of arms, and be defined as a state with limited arms. The two sides have not yet agreed on the scope of arms limitations, but have begun exploring different options. Both sides agree that this issue has not been concluded.

### **4.3 Air Space Control**

The two sides recognized that the state of Palestine would have sovereignty over its airspace. The Israeli side agreed to accept and honor all of Palestine civil aviation rights according to international regulations, but sought a unified air control system under overriding Israel control. In addition, Israel requested access to Palestinian airspace for military operations and training. The Palestinian side was interested in exploring models for broad cooperation and coordination in the civil aviation sphere, but unwilling to cede overriding control to Israel. As for Israeli military

operations and training in Palestinian airspace, the Palestinian side rejected this request as inconsistent with the neutrality of the state of Palestine, saying that it cannot grant Israel these privileges while denying them to its Arab neighbors.

#### **4.4 Time Table for Withdrawal from the West Bank and Jordan Valley**

Based on the Clinton proposal, the Israeli side agreed to a withdrawal from the West Bank over a 36-month period with an additional 36 months for the Jordan Valley in conjunction with an international force, maintaining that a distinction should be made between withdrawal in the Jordan Valley and elsewhere. The Palestinian side rejected a 36-month withdrawal process from the West Bank expressing concern that a lengthy process would exacerbate Palestinian-Israeli tensions. The Palestinian side proposed an 18 months withdrawal under the supervision of international forces. As to the Jordan Valley the Palestinian side was prepared to consider the withdrawal of Israeli armed forces for an additional 10-month period. Although the Palestinian side was ready to consider the presence of international forces in the West Bank for a longer period, it refused to accept the ongoing presence of Israeli forces.

#### **4.5 Emergency Deployment (or Emergency Locations)**

The Israeli side requested to maintain and operate five emergency locations on Palestinian territory (in the Jordan Valley) with the Palestinian response allowing for maximum of two emergency locations conditional on a time limit for the dismantling. In addition, the Palestinian side considered that these two emergency locations be run by international presence and not by the Israelis. Informally, the Israeli side expressed willingness to explore ways that a multinational presence could provide a vehicle for addressing the parties' respective concerns. The Palestinian side declined to agree to the deployment of Israeli armed forces on Palestinian territory during emergency situations, but was prepared to consider ways in which international forces might be used in that capacity, particularly within the context of regional security cooperation efforts.

#### **4.6 Security Cooperation and Fighting Terror**

Both sides were prepared to commit themselves to promoting security cooperation and fighting terror.

#### **4.7 Borders and International Crossings**

The Palestinian side was confident that Palestinian sovereignty over borders and international crossing points would be recognized in the agreement. The two sides had, however, not yet resolved this issue including the question of monitoring and verification at Palestine's international borders (Israeli or international presence).

#### **4.8 Electromagnetic Sphere**

The Israeli side recognized that the state of Palestine would have sovereignty over the electromagnetic sphere, and acknowledged that it would not seek to constrain Palestinian commercial use of the sphere, but sought control over it for security purposes. The Palestinian side sought full sovereign rights over the electromagnetic sphere, but was prepared to accommodate reasonable Israeli needs within a cooperative framework in accordance with international rules and regulations.

#### **Dispute over Ma'aleh Adumim**

The importance of Israel's recognition of the June 4, 1967 border is that since 1967 (and even today), Israel's official position has been that UN Security Council Resolution 242 mandates withdrawal from "territories" conquered in the Six Day War. The Arab position, in contrast, is that the resolution requires withdrawal from "the territories." Israel's official refusal to recognize the June 4, 1967 borders is currently an obstacle to Foreign Minister Shimon Peres in his efforts to reach an agreement with the chairman of the Palestinian Legislative Council, Ahmed Qureia (Abu Ala). There is no Palestinian confirmation of Peres' claim that the Palestinians have accepted the formulation that a final-status agreement will be based on Resolution 242. Israel agreed to recognize the June 4, 1967 border as the basis for the border between Israel and Palestine after the Palestinians agreed in principle to discuss territorial swaps in the West Bank, as proposed by Clinton, that would enable Israel to annex parts of the West Bank adjacent to the Green Line (but not parts of Gaza). The maps presented by the Palestinians at Taba gave Israel 3.1 percent of the West Bank. That is less than the lower limit proposed in the Clinton plan (under which the Palestinians would receive 94 to 96 percent of the West Bank). Israel demanded 6 percent – the upper bound

ary of the Clinton plan – plus an additional 2 percent in the context of a leasing agreement. The Palestinians also rejected Israel's demand that the "no man's land" around Latrun not be considered part of the West Bank. According to the document, Israel gave up all the Jordan Valley settlements, focusing instead on its security interests in that area. The dispute centered around the large stretch of territory between Ma'aleh Adumim and Givat Ze'ev, which contains both a fairly large Palestinian population and East Jerusalem's most important land reserves. The Palestinians retracted their earlier readiness to include these two settlements in the settlement blocs to be annexed to Israel after realizing that Israel also insisted on annexing the large tract that joins them – which would mean that Palestinian citizens would suddenly find themselves in sovereign Israeli territory. Barak instructed his chief negotiator, Gilad Sher, to tell the Palestinians that the map presented by then foreign minister Shlomo Ben-Ami, which reduced the area of the settlement bloc (including the Ma'aleh Adumim-Givat Ze'ev tract) to only 5 percent of the West Bank, had no validity. Another dispute that remained unresolved stemmed from Israel's refusal to accept the Palestinian demand for a 1:1 ratio between the area of the West Bank annexed to Israel and the parts of Israel that would be given to the Palestinians in exchange. Israel proposed a ratio of 1:2, in its favor. In addition, the Palestinians rejected Israel's proposal that the Halutza Dunes in the Negev, the area of the "safe passage" between the West Bank and Gaza, and the part of Ashdod Port that would be set aside for Palestinian use all be considered part of the land swap. They insisted that the land they received be contiguous with either the West Bank or Gaza, and that it not include any land that was merely set aside for their use, over which they would not have sovereignty.

### How long is the Western Wall?

The Clinton proposal paved the way for understandings in Jerusalem, but it also created the principal dispute between the two parties. An agreement was reached that East Jerusalem, which would be called Al-Quds, would be the capital of Palestine. Understandings were also reached regarding a division of East Jerusalem's neighborhoods such that Jewish neighborhoods would remain under Israeli sovereignty (other than Har Homa, which the first Jewish

families are just moving into now, and Ras al-Amud), while Arab neighborhoods would be transferred to Palestinian sovereignty. In addition, it was agreed that parts of the Old City – the Muslim Quarter, the Christian Quarter and part of the Armenian Quarter – would be to the Palestinians. But the Clinton proposal did not help the parties to draw mutually accepted borders between the Open City – to which both sides agreed – and the surrounding Palestinian areas, on one side, and Israeli areas, on the other. The Open City is territory that citizens of both countries can enter without passing through any checkpoints. The Palestinians wanted it to encompass all of Jerusalem, while the Israelis wanted it limited to the Old City only. And the Clinton proposal complicated negotiations on the most sensitive issue: the Western Wall. Clinton had referred to "the holy parts" of the Wall, thereby creating an opening for the Palestinian claim that only the exposed part of the Wall (the Wailing Wall) is considered holy to the Jews, and therefore only this part should be left under Israeli sovereignty. Palestinians claimed the Western Wall tunnels were part of Haram al-Sharif (the Temple Mount). Since the Taba talks ended, many meetings and seminars have taken place in an effort to close the gaps, attended by politicians and experts from both sides and from other countries as well.

### Symbols of Sovereignty

Israel insisted that it retain sovereignty over the "safe passage" between Gaza and the West Bank, with the Palestinians receiving only usage rights to the land. With respect to air space, however, Israel adopted a more generous approach to the sovereignty issue. Nevertheless, it demanded rights to the use of Palestinian air space, including for air force training exercises. The document reveals that the Palestinians expressed a willingness to accept the principle of limitations on their armaments and even took Israel's security needs into account (they agreed to three early warning stations and two "emergency locations," compared to the five "emergency locations" Israel had sought in addition to the early warning stations). But in all matters relating to the symbols of sovereignty, the Palestinians took a harder line. They therefore insisted that an international force man the "emergency locations," rather than an Israeli one. And the issue of control over Palestine's international border

remained unresolved for the same reason: the question of who would man the border control posts.

Taba, January, 2001.

(Quelle: "Moratinos Document" – The Peace that Nearly Was in Taba, zuerst veröffentlicht von Akiva Eldar in: Ha'aretz, 14. Februar 2002, <<http://www.arts.mcgill.ca/MEPP/PRRN/papers/moratinos.html>>).

## Jordanisch-ägyptische Friedensinitiative (April 2001)

Indem sie beteuern, daß ein gerechter, umfassender und dauerhafter Frieden die politische Priorität im Nahen Osten ist und daß es wünschenswert ist, wirkungsvolle Maßnahmen zu finden, um die gegenwärtige Krise zu beenden und den Friedensprozeß von neuem auf den richtigen Weg zu bringen, in dem die Mängel des Verhandlungsprozesses behoben werden, schlagen Jordanien und Ägypten folgendes vor:

### Erstens: Schritte zur Beendigung der gegenwärtigen Krise zwischen Israel und der palästinensischen Autonomiebehörde

Zur Verwirklichung der Übereinkünfte des Gipfeltreffens von Scharm al Scheich am 16. und 17. Oktober 2000, und um eine Rückkehr zu dem Zustand vor dem September 2000 zu erreichen, sollen:

1. beide Parteien in einer Woche nach dieser Übereinkunft konkrete Schritte einleiten, um die gegenwärtige Krise zu beruhigen, die Konfrontation zu beenden und die Ruhe wiederherzustellen.
2. Die militärische, (finanzielle) und wirtschaftliche Belagerung soll beendet werden ebenso wie die Blockade des Warenverkehrs und der Lebensmittelversorgung im Westjordanland, in Jerusalem und im Gazastreifen. Außerdem soll vom Einsatz international verbotener Waffen abgesehen werden. Dies soll im gleichen Zeitraum verwirklicht werden.
3. Gleichzeitig soll Israel seine Truppen, Panzer, gepanzerten Fahrzeuge und Waffen von den gegenwärtigen Stellungen um palästinensische Städte, Dörfer und Flüchtlingslager dorthin zurückziehen, wo sie sich im September 2000 befanden.
4. Sofortige Freigabe und Übertragung aller ausstehenden Schulden an die palästinensische Autonomiebehörde.
5. Gleichzeitig mit der Ausführung der genannten Schritte wird das politische Sicherheitskomitee auf

hoher Beamtenebene zusammenkommen, um die Verwirklichung zu überwachen.

### Zweitens: Vertrauensbildende Maßnahmen

Angesichts des gegenwärtigen Klimas des Mißtrauens werden beide Parteien Maßnahmen ergreifen, um das Vertrauen zwischen dem palästinensischen und israelischen Volk wiederherzustellen, und zwar durch gewissenhafte Ausführung der Verpflichtungen, die sie in den unterschriebenen Übereinkünften eingegangen sind oder verlangt haben. Dazu zählen:

- die sofortige Wiederaufnahme der Verwirklichung aller Punkte des am 5. September 1999 unterschriebenen Scharm-al-Scheich-Memorandums;
- vollständiges und sofortiges Einfrieren aller Siedlungsunternehmungen einschließlich derer in Ost-Jerusalem;
- wechselseitige Verwirklichung aller Sicherheitsverpflichtungen;
- der Schutz aller christlichen und muslimischen heiligen Stätten und Orte;
- wechselseitige Verwirklichung aller anderen Verpflichtungen, in die die Parteien eingewilligt haben.

### Drittens: Wiederaufbau des Verhandlungsprozesses gemäß palästinensischer Vorstellungen

In Zusammenhang mit den vertrauensbildenden Maßnahmen und den obengenannten Schritten [...] sollen beide Parteien die Arbeit an allen Punkten, die auf der Tagesordnung der Endstatusverhandlungen stehen, wiederaufnehmen: Jerusalem, palästinensische Flüchtlinge, Grenzen, Siedlungen, Sicherheit, Wasser und alle anderen grundsätzlichen Fragen [...] gemäß den unterzeichneten Übereinkünften, mit dem Ziel, die Resolutionen 242 und 338 des Sicherheitsrates vollständig zu verwirklichen. Beide Parteien stimmen zu, die Verhandlungen abzuschließen innerhalb (von sechs Monaten vom Zeitpunkt ihrer Wiederaufnahme an) (einem spezifischen vereinbarten Zeitraum). Die Verhandlungen zwischen beiden Parteien müssen den Fortschritt, der zwischen November 1999 und Januar 2001 gemacht wurde, bewahren und weiterentwickeln [...].

**Viertens:** Um die genaue und gewissenhafte Verwirklichung der obengenannten Punkte durch beide Parteien zu gewährleisten, wird vorgeschlagen, daß die Förderer des Friedensprozesses, die Europäische Union, Ägypten, Jordanien und der Generalsekretär



der Vereinten Nationen diese Verwirklichung und die gemachten Fortschritte überwachen sollen.

(Quelle: Der jordanisch-ägyptische Friedensplan, in: Frankfurter Allgemeine Zeitung, 26.4.2001.)

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## **“Mitchell-Report” vom 30. April 2001**

### **Recommendations**

The GOI and the PA must act swiftly and decisively to halt the violence. Their immediate objectives then should be to rebuild confidence and resume negotiations. What we are asking is not easy. Palestinians and Israelis – not just their leaders, but two publics at large – have lost confidence in one another. We are asking political leaders to do, for the sake of their people, the politically difficult: to lead without knowing how many will follow. During this mission our aim has been to fulfil the mandate agreed at Sharm el-Sheikh. We value the support given our work by the participants at the summit, and we commend the parties for their cooperation. Our principal recommendation is that they recommit themselves to the Sharm el-Sheikh spirit, and that they implement the decisions made there in 1999 and 2000. We believe that the summit participants will support bold action by the parties to achieve these objectives.

### **End the violence**

- The GOI and the PA should reaffirm their commitment to existing agreements and undertakings and should immediately implement an unconditional cessation of violence.  
Anything less than a complete effort by both parties to end the violence will render the effort itself ineffective, and will likely be interpreted by the other side as evidence of hostile intent.
- The GOI and PA should immediately resume security cooperation.  
Effective bilateral cooperation aimed at preventing violence will encourage the resumption of negotiations. We are particularly concerned that, absent effective, transparent security cooperation, terrorism and other acts of violence will continue and may be seen as officially sanctioned whether they

are or not. The parties should consider widening the scope of security cooperation to reflect the priorities of both communities and to seek acceptance for these efforts from those communities. We acknowledge the PA's position that security cooperation presents a political difficulty absent a suitable political context, i.e., the relaxation of stringent Israeli security measures combined with ongoing, fruitful negotiations. We also acknowledge the PA's fear that, with security cooperation in hand, the GOI may not be disposed to deal forthrightly with Palestinian political concerns. We believe that security cooperation cannot long be sustained if meaningful negotiations are unreasonably deferred, if security measures “on the ground” are seen as hostile, or if steps are taken that are perceived as provocative or as prejudicing the outcome of negotiations.

### **Rebuild confidence**

- The PA and GOI should work together to establish a meaningful “cooling off period” and implement additional confidence building measures, some of which were proposed in the October 2000 Sharm el-Sheikh Statement and some of which were offered by the U.S. on January 7, 2001 in Cairo.
- The PA and GOI should resume their efforts to identify, condemn and discourage incitement in all its forms.
- The PA should make clear through concrete action to Palestinians and Israelis alike that terrorism is reprehensible and unacceptable, and that the PA will make a 100 percent effort to prevent terrorist operations and to punish perpetrators. This effort should include immediate steps to apprehend and incarcerate terrorists operating within the PA's jurisdiction.
- The GOI should freeze all settlement activity, including the “natural growth” of existing settlements. The kind of security cooperation desired by the GOI cannot for long co-exist with settlement activity described very recently by the European Union as causing “great concern” and by the U.S. as “provocative.”
- The GOI should give careful consideration to whether settlements which are focal points for substantial friction are valuable bargaining chips

- for future negotiations. or provocations likely to preclude the onset of productive talks.
- The GOI may wish to make it clear to the PA that a future peace would pose no threat to the territorial contiguity of a Palestinian State to be established in the West Bank and the Gaza Strip.
- The IDF should consider withdrawing to positions held before September 28, 2000 which will reduce the number of friction points and the potential for violent confrontations.
- The GOI should ensure that the IDF adopt and enforce policies and procedures encouraging non-lethal responses to unarmed demonstrators, with a view to minimizing casualties and friction between the two communities. The IDF should:
  - Re-institute, as a matter of course, military police investigations into Palestinian deaths resulting from IDF actions in the Palestinian territories in incidents not involving terrorism. The IDF should abandon the blanket characterization of the current uprising as "an armed conflict short of war," which fails to discriminate between terrorism and protest.
  - Adopt tactics of crowd-control that minimize the potential for deaths and casualties, including the withdrawal of metal-cored rubber rounds from general use.
  - Ensure that experienced, seasoned personnel are present for duty at all times at known friction points.
  - Ensure that the stated values and standard operating procedures of the IDF effectively instill the duty of caring for Palestinians in the West Bank and Gaza Strip as well as Israelis living there, consistent with The Ethical Code of The IDF.
- The GOI should lift closures, transfer to the PA all tax revenues owed, and permit Palestinians who had been employed in Israel to return to their jobs; and should ensure that security forces and settlers refrain from the destruction of homes and roads, as well as trees and other agricultural property in Palestinian areas. We acknowledge the GOI's position that actions of this nature have been taken for security reasons. Nevertheless, their economic effects will persist for years.
- The PA should renew cooperation with Israeli security agencies to ensure, to the maximum extent possible, that Palestinian workers employed within Israel are fully vetted and free of connections to organizations and individuals engaged in terrorism.
- The PA should prevent gunmen from using Palestinian populated areas to fire upon Israeli populated areas and IDF positions. This tactic places civilians on both sides at unnecessary risk.
- The GOI and IDF should adopt and enforce policies and procedures designed to ensure that the response to any gunfire emanating from Palestinian populated areas minimizes the danger to the lives and property of Palestinian civilians, bearing in mind that it is probably the objective of gunmen to elicit an excessive IDF response.
- The GOI should take all necessary steps to prevent acts of violence by settlers.
- The parties should abide by the provisions of the Wye River Agreement prohibiting illegal weapons.
- The PA should take all necessary steps to establish a clear and unchallenged chain of command for armed personnel operating under its authority.
- The PA should institute and enforce effective standards of conduct and accountability, both within the uniformed ranks and between the police and the civilian political leadership to which it reports.
- The PA and GOI should consider a joint undertaking to preserve and protect holy places sacred to the traditions of Muslims, Jews, and Christians. An initiative of this nature might help to reverse a disturbing trend: the increasing use of religious themes to encourage and justify violence.
- The GOI and PA should jointly endorse and support the work of Palestinian and Israeli non-governmental organizations (NGOs) involved in cross-community initiatives linking the two peoples. It is important that these activities, including the provision of humanitarian aid to Palestinian villages by Israeli NGOs, receive the full backing of both parties.

### **Resume negotiations**

We reiterate our belief that a 100 percent effort to stop the violence, an immediate resumption of security cooperation and an exchange of confidence building measures are all important for the resumption of negotiations. Yet none of these steps will long be sustained absent a return to serious negotiations.

It is not within our mandate to prescribe the venue, the basis or the agenda of negotiations. However, in order to provide an effective political context for prac

tical cooperation between the parties, negotiations must not be unreasonably deferred and they must, in our view, manifest a spirit of compromise, reconciliation and partnership, notwithstanding the events of the past seven months.

In the spirit of the Sharm el-Sheikh agreements and understandings of 1999 and 2000, we recommend that the parties meet to reaffirm their commitment to signed agreements and mutual understandings, and take corresponding action. This should be the basis for resuming full and meaningful negotiations.

The parties are at a crossroads. If they do not return to the negotiating table, they face the prospect of fighting it out for years on end, with many of their citizens leaving for distant shores to live their lives and raise their children. We pray they make the right choice. That means stopping the violence now. Israelis and Palestinians have to live, work, and prosper together. History and geography have destined them to be neighbors. That cannot be changed. Only when their actions are guided by this awareness will they be able to develop the vision and reality of peace and shared prosperity.

(Quelle: *Sharm el-Sheikh Fact-Finding Committee*, Final Report, 30. April 2001, Recommendations, <<http://www.usinfo.state.gov/regional/nea/mitchell.htm>>).

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### **“Tenet Cease-fire Plan” (Juni 2001)**

The security organizations of the Government of Israel (GOI) and of the Palestinian Authority (PA) reaffirm their commitment to the security agreements forged at Sharm al-Sheikh in October 2000 embedded in the Mitchell Report of April 2001. The operational premise of the workplan is that the two sides are committed to a mutual, comprehensive cease-fire, applying to all violent activities, in accordance with the public declaration of both leaders. In addition, the joint security committee referenced in this workplan will resolve issues that may arise during the implementation of this workplan. The security organizations of the GOI and PA agree to initiate the following specific, concrete, and realistic security steps immediately to reestablish security cooperation and the situation on the ground as they existed prior to 28 September.

1. The GOI and the PA will immediately resume security cooperation.
  - A senior-level meeting of Israeli, Palestinian, and US security officials will be held immediately and

will reconvene at least once a week, with mandatory participation by designated senior officials.

- Israeli-Palestinian DCOs will be reinvigorated. They will carry out their daily activities, to the maximum extent possible, according to the standards established prior to 28 September 2000. As soon as the security situation permits, barriers to effective cooperation – which include the erection of walls between the Israeli and Palestinian sides – will be eliminated and joint Israeli-Palestinian patrols will be reinitiated.
  - US-supplied video conferencing systems will be provided to senior-level Israeli and Palestinian officials to facilitate frequent dialogue and security cooperation.
2. Both sides will take immediate measures to enforce strict adherence to the declared cease-fire and to stabilize the security environment.
    - Specific procedures will be developed by the senior-level security committee to ensure the secure movement of GOI and PA security personnel traveling in areas outside their respective control, in accordance with existing agreements.
    - Israel will not conduct attacks of any kind against the Palestinian Authority Ra’is facilities: the headquarters of Palestinian security, intelligence, and police organization; or prisons in the West Bank and Gaza.
    - The PA will move immediately to apprehend, question, and incarcerate terrorists in the West Bank and Gaza and will provide the security committee the names of those arrested as soon as they are apprehended, as well as a readout of actions taken.
    - Israel will release all Palestinians arrested in security sweeps who have no association with terrorist activities.
    - In keeping with its unilateral cease-fire declaration, the PA will stop any Palestinian security officials from inciting, aiding, abetting, or conducting attacks against Israeli targets, including settlers.
    - In keeping with Israel’s unilateral cease-fire declaration, Israeli forces will not conduct “proactive” security operations in areas under the control of the PA or attack against innocent civilian targets.
    - The GOI will re-institute military police investigations into Palestinian deaths resulting from IDF actions in the West Bank and Gaza in incidents not involving terrorism.

3. Palestinian and Israeli security officials will use the security committee to provide each other, as well as designated US officials, terrorist threat information, including information on known or suspected terrorist operation in – or moving to – areas under the other's control.
    - Legitimate terrorist and threat information will be acted upon immediately, with follow-up actions and results reported to the security committee.
    - The PA will undertake preemptive operations against terrorists, terrorist safehouses, arms depots, and mortar factories. The PA will provide regular progress reports of these actions to the security committee.
    - Israeli authorities will take action against Israeli citizens inciting, carrying out, or planning to carry out violence against Palestinians, with progress reports on these activities provided to the security committee.
  4. The PA and GOI will move aggressively to prevent individuals and groups from using areas under their respective control to carry out acts of violence. In addition, both sides will take steps to ensure that areas under their control will not be used to launch attacks against the other side nor be used as refuge after attacks are staged.
    - The security committee will identify key flash points, and each side will inform the other of the names of senior security personnel responsible for each flash point.
    - Joint Standard Operating Procedures (SOP's) will be developed for each flash point. These SOP's will address how the two sides handle and respond to security incidents; the mechanisms for emergency contact; and the procedures to de-escalate security crises.
    - Palestinian and Israeli security officials will identify and agree to the practical measures needed to enforce "no demonstration zones" and "buffer zones" around flash points to reduce opportunities for confrontation. Both sides will adopt all necessary measures to prevent riots and to control demonstration, particularly in flash point areas.
    - Palestinian and Israeli security officials will make a concerted effort to locate and confiscate illegal weapons, including mortars, rockets, and explosives, in areas under their respective control. In addition, intensive efforts will be made to prevent smuggling and illegal production of weapons.
- Each side will inform the security committee of the status and success of these efforts.
- The Israeli Defense Forces (IDF) will adopt additional non-lethal measures to deal with Palestinian crowds and demonstrators, and more generally, seek to minimize the danger to lives and property of Palestinian civilians in responding to violence.
5. The GOI and the PA, through the auspices of the senior-level security committee, will forge – within one week of the commencement of security committee meetings and resumption of security cooperation – an agreed-upon schedule to implement the complete redeployment of IDF forces to positions held before 28 September 2000.
    - Demonstrable on-the-ground redeployment will be initiated within the first 48 hours of this one-week period and will continue while the schedule is being forged.
  6. Within one week of the commencement of security committee meetings and resumption of security cooperation, a specific timeline will be developed for the lifting of internal closures as well as for the re-opening of internal roads, the Allenby Bridge, Gaza Airport, Port of Gaza, and border crossings. Security checkpoints will be minimized according to legitimate security requirements and following consultation between the two sides.
    - Demonstrable on-the-ground actions on the lifting of the closures will be initiated within the first 48 hours of this one-week period and will continue while the timeline is being developed.
    - The parties pledge that even if untoward events occur, security cooperation will continue through the joint security committee.

(Quelle: Palestinian-Israeli Security Implementation Work Plan [Tenet Cease-fire Plan], zit. nach: Ha'aretz, 14.6.2001; <[www.mfa.gov.il/mfa/go.asp?MFAH0khz0](http://www.mfa.gov.il/mfa/go.asp?MFAH0khz0)>).

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### **Beirut-Erklärung der Arabischen Liga vom 28. März 2002**

The Council of the League of Arab States at the Summit Level, at its 14th Ordinary Session

- Reaffirming the resolution taken in June 1996 at the Cairo extraordinary Arab Summit that a just and comprehensive peace in the Middle East is the strategic option of the Arab countries, to be achieved in accordance with international legality,

- and which would require a comparable commitment on the part of the Israeli Government;
- Having listened to the statement made by His Royal Highness Prince Abdullah Bin Abdulaziz, the Crown Prince of the Kingdom of Saudi Arabia, in which His Highness presented his initiative, calling for full Israeli withdrawal from all the Arab territories occupied since June 1967, in implementation of Security Council Resolutions 242 and 338, reaffirmed by the Madrid Conference of 1991 and the land for peace principle; and for Israel's acceptance of an independent Palestinian State, with East Jerusalem as its capital, in return for the establishment of normal relations in the context of a comprehensive peace with Israel;
  - Emanating from the conviction of the Arab countries that a military solution to the conflict will not achieve peace or provide security for the parties, the Council:
1. Requests Israel to reconsider its policies and declare that a just peace is its strategic option as well.
  2. Further calls upon Israel to affirm:
    - Full Israeli withdrawal from all the territories occupied since 1967, including the Syrian Golan Heights to the lines of June 4, 1967, as well as the remaining occupied Lebanese territories in the south of Lebanon.
    - Achievement of a just solution to the Palestinian Refugee problem to be agreed upon in accordance with UN General Assembly Resolution 194.
    - The acceptance of the establishment of a Sovereign Independent Palestinian State on the Palestinian territories occupied since the 4th of June 1967 in the West Bank and Gaza Strip, with East Jerusalem as its capital.
  3. Consequently, the Arab Countries affirm the following:
    - Consider the Arab-Israeli conflict ended, and enter into a peace agreement with Israel, and provide security for all the states of the region.
    - Establish normal relations with Israel in the context of this comprehensive peace.
  4. Assures the rejection of all forms of Palestinian patriation which conflict with the special circumstances of the Arab host countries.
  5. Calls upon the Government of Israel and all Israelis to accept this initiative in order to safeguard the prospects for peace and stop the further shedding of blood, enabling the Arab countries and Israel to live in peace and good neighborliness and provide

future generations with security, stability, and prosperity.

6. Invites the international community and all countries and organizations to support this initiative.
7. Requests the Chairman of the Summit to form a special committee composed of some of its concerned member states and the Secretary General of the League of Arab States to pursue the necessary contacts to gain support for this initiative at all levels, particularly from the United Nations, the Security Council, the United States of America, the Russian Federation, the Muslim States and the European Union.

(Quelle: The Arab Peace Initiative (Beirut Declaration), 28.3.2002, <[http://www.saudiembassy.net/press\\_release/statements/02-ST-0328-Beirut.htm](http://www.saudiembassy.net/press_release/statements/02-ST-0328-Beirut.htm)>).

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### **UN-Sicherheitsratsresolution 1397 vom 12. März 2002**

[...]

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 242 (1967) and 338 (1973),

Affirming a vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Expressing its grave concern at the continuation of the tragic and violent events that have taken place since September 2000, especially the recent attacks and the increased number of casualties,

Stressing the need for all concerned to ensure the safety of civilians,

Stressing also the need to respect the universally accepted norms of international humanitarian law,

Welcoming and encouraging the diplomatic efforts of special envoys from the United States of America, the Russian Federation, the European Union and the United Nations Special Coordinator and others to bring about a comprehensive, just and lasting peace in the Middle East,

Welcoming the contribution of Saudi Crown Prince Abdullah,

1. Demands immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;
2. Calls upon the Israeli and Palestinian sides and their leaders to cooperate in the implementation of the Tenet work plan and Mitchell Report recom

mendations with the aim of resuming negotiations on a political settlement;

3. Expresses support for the efforts of the Secretary-General and others to assist the parties to halt the violence and to resume the peace process;
4. Decides to remain seized of the matter.

(Quelle: <<http://www.un.org/Docs/scres/2002/sc2002.htm>>).

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## »Sieben-Punkte-Plan« des Bundesaußenministers Fischer vom 15. April 2002

The Israeli-Palestinian conflict can only be solved by political means. Such a solution can only be brought about by the peaceful coexistence of these two peoples living in two states, bound in mutual security and embedded in a regional peace that is guaranteed by the international community, in particular the USA, the EU, Russia and the UN Secretary-General. To this end we propose the following steps, starting with an all-out cease-fire including Israel's withdrawal to positions held before 28 September 2000.

### 1. Separation

Israel's further withdrawal from the West Bank and Gaza including the dismantling of settlements. Securing of the provisional line of separation on the Israeli side by the IDF – no annexation of territory under international law.

### 2. Proclamation of the State of Palestine

The State of Palestine will be proclaimed and recognised by Israel and the international community. Its constitution and institutions will be democratic. The international community will assist the constitutional process including the organisation of elections and the establishment of democratic institutions. Demilitarised status. Its borders, like its capital, will be provisional. A final settlement will be negotiated within two years in accordance with Security Council Resolutions 242 and 338, 1397, 1402 and 1403 with Jerusalem as capital of both states.

### 3. Commitments of both parties

Mutual recognition of each other's right to exist; full and unconditional renunciation of violence; prosecution of and punishment for every terrorist act emanating from their respective territories; the banning and suppression of all terrorist organisations and

activities, a complete halt to all incitement and demands for any forcible transfer of population; the creation of joint commissions for media, historians and school books. Both parties commit themselves to the conclusion of the final status negotiations regarding all unresolved issues between Israel and Palestine within two years.

### 4. International guarantees

The international community, led by the USA, the EU, Russia and the UN Secretary-General, undertakes the following guarantees:

- It will monitor and guarantee full compliance with the commitments entered into by both parties and ensure their implementation.
- It will provide a concrete, sustainable and effective security component for this purpose.
- It will provide assistance in building up democratic state institutions in Palestine, in particular the police, the justice system, and civil society.
- It will provide support for the development of the Palestinian economy through a long-term economic reconstruction programme.
- It will provide humanitarian and reconstruction assistance.
- It will engage with all countries in the region which co-operate in the fight against terrorism. Countries which renounce terrorism will benefit from the same guarantees. Any country which continues to support terrorism or its organisations or members will be completely isolated politically and economically.

### 5. Negotiations about a comprehensive peace and final status negotiations

For this purpose, the USA, the EU, Russia and the UN Secretary-General will convene a conference with the participation of interested states. The following will be carried out under the aegis of this conference:

- Final status negotiations for Israel/Palestine: Border issues, settlements, the question of the capital/Jerusalem/holy sites, refugees, security – army, water, transit.
- Syria/Lebanon: Resolution of all unresolved issues.

Following the conclusion of a comprehensive, conclusive peace, the complete normalisation of relations between Israel and all its Arab neighbours and members of the Arab League on the basis of Saudi Crown Prince Abdullah's initiative, as endorsed in

Beirut by the Arab League. The negotiations must be concluded within two years.

## 6. Regional security

The convening of an international conference for security and co-operation in the Middle East.

## 7. United Nations

This road map is to be endorsed in the form of a resolution of the UN Security Council.

(Quelle: "Idea Paper for Middle East Peace" by German Foreign Minister Joschka Fischer, submitted at the EU foreign minister meeting in Luxembourg on 15 April 2002, in: Volker Perthes [Hg.], Germany and the Middle East, Berlin 2002, S. 220–221).

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### Rede des US-Präsidenten George W. Bush zum Nahen Osten vom 24. Juni 2002

For too long, the citizens of the Middle East have lived in the midst of death and fear. The hatred of a few holds the hopes of many hostage. The forces of extremism and terror are attempting to kill progress and peace by killing the innocent. And this casts a dark shadow over an entire region. For the sake of all humanity, things must change in the Middle East.

It is untenable for Israeli citizens to live in terror. It is untenable for Palestinians to live in squalor and occupation. And the current situation offers no prospect that life will improve. Israeli citizens will continue to be victimized by terrorists, and so Israel will continue to defend herself.

In the situation the Palestinian people will grow more and more miserable. My vision is two states, living side by side in peace and security. There is simply no way to achieve that peace until all parties fight terror. Yet, at this critical moment, if all parties will break with the past and set out on a new path, we can overcome the darkness with the light of hope. Peace requires a new and different Palestinian leadership, so that a Palestinian state can be born.

I call on the Palestinian people to elect new leaders, leaders not compromised by terror. I call upon them to build a practicing democracy, based on tolerance and liberty. If the Palestinian people actively pursue these goals, America and the world will actively support their efforts. If the Palestinian people meet these goals, they will be able to reach agreement with Israel and Egypt and Jordan on security and other arrangements for independence.

And when the Palestinian people have new leaders, new institutions and new security arrangements with their neighbors, the United States of America will support the creation of a Palestinian state whose borders and certain aspects of its sovereignty will be provisional until resolved as part of a final settlement in the Middle East.

In the work ahead, we all have responsibilities. The Palestinian people are gifted and capable, and I am confident they can achieve a new birth for their nation. A Palestinian state will never be created by terror – it will be built through reform. And reform must be more than cosmetic change, or veiled attempt to preserve the status quo. True reform will require entirely new political and economic institutions, based on democracy, market economics and action against terrorism.

Today, the elected Palestinian legislature has no authority, and power is concentrated in the hands of an unaccountable few. A Palestinian state can only serve its citizens with a new constitution which separates the powers of government. The Palestinian parliament should have the full authority of a legislative body. Local officials and government ministers need authority of their own and the independence to govern effectively.

The United States, along with the European Union and Arab states, will work with Palestinian leaders to create a new constitutional framework, and a working democracy for the Palestinian people. And the United States, along with others in the international community will help the Palestinians organize and monitor fair, multi-party local elections by the end of the year, with national elections to follow.

Today, the Palestinian people live in economic stagnation, made worse by official corruption. A Palestinian state will require a vibrant economy, where honest enterprise is encouraged by honest government. The United States, the international donor community and the World Bank stand ready to work with Palestinians on a major project of economic reform and development. The United States, the EU, the World Bank, the International Monetary Fund are willing to oversee reforms in Palestinian finances, encouraging transparency and independent auditing.

And the United States, along with our partners in the developed world, will increase our humanitarian assistance to relieve Palestinian suffering. Today, the Palestinian people lack effective courts of law and have no means to defend and vindicate their rights. A Palestinian state will require a system of reliable

justice to punish those who prey on the innocent. The United States and members of the international community stand ready to work with Palestinian leaders to establish finance – establish finance and monitor a truly independent judiciary.

Today, Palestinian authorities are encouraging, not opposing, terrorism. This is unacceptable. And the United States will not support the establishment of a Palestinian state until its leaders engage in a sustained fight against the terrorists and dismantle their infrastructure. This will require an externally supervised effort to rebuild and reform the Palestinian security services. The security system must have clear lines of authority and accountability and a unified chain of command.

America is pursuing this reform along with key regional states. The world is prepared to help, yet ultimately these steps toward statehood depend on the Palestinian people and their leaders. If they energetically take the path of reform, the rewards can come quickly. If Palestinians embrace democracy, confront corruption and firmly reject terror, they can count on American support for the creation of a provisional state of Palestine.

With a dedicated effort, this state could rise rapidly, as it comes to terms with Israel, Egypt and Jordan on practical issues, such as security. The final borders, the capital and other aspects of this state's sovereignty will be negotiated between the parties, as part of a final settlement. Arab states have offered their help in this process, and their help is needed.

I've said in the past that nations are either with us or against us in the war on terror. To be counted on the side of peace, nations must act. Every leader actually committed to peace will end incitement to violence in official media, and publicly denounce homicide bombings. Every nation actually committed to peace will stop the flow of money, equipment and recruits to terrorist groups seeking the destruction of Israel – including Hamas, Islamic Jihad, and Hezbollah. Every nation actually committed to peace must block the shipment of Iranian supplies to these groups, and oppose regimes that promote terror, like Iraq. And Syria must choose the right side in the war on terror by closing terrorist camps and expelling terrorist organizations.

Leaders who want to be included in the peace process must show by their deeds an undivided support for peace. And as we move toward a peaceful solution, Arab states will be expected to build closer ties of diplomacy and commerce with Israel, leading

to full normalization of relations between Israel and the entire Arab world.

Israel also has a large stake in the success of a democratic Palestine. Permanent occupation threatens Israel's identity and democracy. A stable, peaceful Palestinian state is necessary to achieve the security that Israel longs for. So I challenge Israel to take concrete steps to support the emergence of a viable, credible Palestinian state.

As we make progress towards security, Israel forces need to withdraw fully to positions they held prior to September 28, 2000. And consistent with the recommendations of the Mitchell Committee, Israeli settlement activity in the occupied territories must stop.

The Palestinian economy must be allowed to develop. As violence subsides, freedom of movement should be restored, permitting innocent Palestinians to resume work and normal life. Palestinian legislators and officials, humanitarian and international workers, must be allowed to go about the business of building a better future. And Israel should release frozen Palestinian revenues into honest, accountable hands.

I've asked Secretary Powell to work intensively with Middle Eastern and international leaders to realize the vision of a Palestinian state, focusing them on a comprehensive plan to support Palestinian reform and institution-building.

Ultimately, Israelis and Palestinians must address the core issues that divide them if there is to be a real peace, resolving all claims and ending the conflict between them. This means that the Israeli occupation that began in 1967 will be ended through a settlement negotiated between the parties, based on U.N. Resolutions 242 and 338, with Israeli withdrawal to secure and recognize borders.

We must also resolve questions concerning Jerusalem, the plight and future of Palestinian refugees, and a final peace between Israel and Lebanon, and Israel and a Syria that supports peace and fights terror.

All who are familiar with the history of the Middle East realize that there may be setbacks in this process. Trained and determined killers, as we have seen, want to stop it. Yet the Egyptian and Jordanian peace treaties with Israel remind us that with determined and responsible leadership progress can come quickly.

As new Palestinian institutions and new leaders emerge, demonstrating real performance on security and reform, I expect Israel to respond and work toward a final status agreement. With intensive effort by all, this agreement could be reached within three



years from now. And I and my country will actively lead toward that goal.

I can understand the deep anger and anguish of the Israeli people. You've lived too long with fear and funerals, having to avoid markets and public transportation, and forced to put armed guards in kindergarten classrooms. The Palestinian Authority has rejected your offer at hand, and trafficked with terrorists. You have a right to a normal life; you have a right to security; and I deeply believe that you need a reformed, responsible Palestinian partner to achieve that security.

I can understand the deep anger and despair of the Palestinian people. For decades you've been treated as pawns in the Middle East conflict. Your interests have been held hostage to a comprehensive peace agreement that never seems to come, as your lives get worse year by year. You deserve democracy and the rule of law. You deserve an open society and a thriving economy. You deserve a life of hope for your children. An end to occupation and a peaceful democratic Palestinian state may seem distant, but America and our partners throughout the world stand ready to help, help you make them possible as soon as possible.

If liberty can blossom in the rocky soil of the West Bank and Gaza, it will inspire millions of men and women around the globe who are equally weary of poverty and oppression, equally entitled to the benefits of democratic government.

I have a hope for the people of Muslim countries. Your commitments to morality, and learning, and tolerance led to great historical achievements. And those values are alive in the Islamic world today. You have a rich culture, and you share the aspirations of men and women in every culture. Prosperity and freedom and dignity are not just American hopes, or Western hopes. They are universal, human hopes. And even in the violence and turmoil of the Middle East, America believes those hopes have the power to transform lives and nations.

This moment is both an opportunity and a test for all parties in the Middle East: an opportunity to lay the foundations for future peace; a test to show who is serious about peace and who is not. The choice here is stark and simple. The Bible says, "I have set before you life and death; therefore, choose life." The time has arrived for everyone in this conflict to choose peace, and hope, and life. Thank you very much.

(Quelle: President Bush Calls for New Palestinian Leadership, The Rose Garden, Washington, D.C., 24.6.2002; <<http://www.whitehouse.gov/news/releases/2002/06/20020624-3.html>>).

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### **"Road Map" vom 30. April 2003**

The following is a performance-based and goal-driven roadmap, with clear phases, timelines, target dates, and benchmarks aiming at progress through reciprocal steps by the two parties in the political, security, economic, humanitarian, and institution-building fields, under the auspices of the Quartet. The destination is a final and comprehensive settlement of the Israel-Palestinian conflict by 2005, as presented in President Bush's speech of 24 June, and welcomed by the EU, Russia and the UN in the 16 July and 17 September Quartet Ministerial statements.

A two state solution to the Israeli-Palestinian conflict will only be achieved through an end to violence and terrorism, when the Palestinian people have a leadership acting decisively against terror and willing and able to build a practising democracy based on tolerance and liberty, and through Israel's readiness to do what is necessary for a democratic Palestinian state to be established, and a clear, unambiguous acceptance by both parties of the goal of a negotiated settlement as described below.

The Quartet will assist and facilitate implementation of the plan, starting in Phase I, including direct discussions between the parties as required. The plan establishes a realistic timeline for implementation. However, as a performance-based plan, progress will require and depend upon the good faith efforts of the parties, and their compliance with each of the obligations outlined below. Should the parties perform their obligations rapidly, progress within and through the phases may come sooner than indicated in the plan. Non-compliance with obligations will impede progress.

A settlement, negotiated between the parties, will result in the emergence of an independent, democratic, and viable Palestinian state living side by side in peace and security with Israel and its other neighbours. The settlement will resolve the Israel-Palestinian conflict, and end the occupation that began in 1967, based on the foundations of the Madrid Conference, the principle of land for peace, UNSCRs 242, 338 and 1397, agreements previously reached by the parties, and the initiative of Saudi Crown Prince Abdullah – endorsed by the Beirut Arab League Summit – calling for acceptance of Israel as a neighbour living in peace and security, in the context of a comprehensive settlement. This initiative is a vital element

of international efforts to promote a comprehensive peace on all tracks, including the Syrian-Israeli and Lebanese-Israeli tracks.

The Quartet will meet regularly at senior levels to evaluate the parties’ performance on implementation of the plan. In each phase, the parties are expected to perform their obligations in parallel, unless otherwise indicated.

### **Phase I Ending Terror and Violence, Normalising Palestinian Life, and Building Palestinian Institutions, Present to May 2003**

In Phase I, the Palestinians immediately undertake an unconditional cessation of violence according to the steps outlined below; such action should be accompanied by supportive measures undertaken by Israel. Palestinians and Israelis resume security co-operation based on the Tenet work plan to end violence, terrorism, and incitement through restructured and effective Palestinian security services. Palestinians undertake comprehensive political reform in preparation for statehood, including drafting a Palestinian constitution, and free, fair and open elections upon the basis of those measures. Israel takes all necessary steps to help normalise Palestinian life. Israel withdraws from Palestinian areas occupied from September 28, 2000 and the two sides restore the status quo that existed at that time, as security performance and co-operation progress. Israel also freezes all settlement activity, consistent with the Mitchell report.

At the outset of Phase I:

- Palestinian leadership issues unequivocal statement reiterating Israel’s right to exist in peace and security and calling for an immediate and unconditional ceasefire to end armed activity and all acts of violence against Israelis anywhere. All official Palestinian institutions end incitement against Israel.
- Israeli leadership issues unequivocal statement affirming its commitment to the two-state vision of an independent, viable, sovereign Palestinian state living in peace and security alongside Israel, as expressed by President Bush, and calling for an immediate end to violence against Palestinians everywhere. All official Israeli institutions end incitement against Palestinians.

### **Security**

- Palestinians declare an unequivocal end to violence and terrorism and undertake visible efforts on the ground to arrest, disrupt, and restrain individuals and groups conducting and planning violent attacks on Israelis anywhere.
- Rebuilt and refocused Palestinian Authority security apparatus begins sustained, targeted, and effective operations aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure. This includes commencing confiscation of illegal weapons and consolidation of security authority, free of association with terror and corruption.
- GOI takes no actions undermining trust, including deportations, attacks on civilians; confiscation and/or demolition of Palestinian homes and property, as a punitive measure or to facilitate Israeli construction; destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet Work Plan.
- Relying on existing mechanisms and on-the-ground resources, Quartet representatives begin informal monitoring and consult with the parties on establishment of a formal monitoring mechanism and its implementation.
- Implementation, as previously agreed, of U.S. rebuilding, training and resumed security co-operation plan in collaboration with outside oversight board (U.S.–Egypt–Jordan). Quartet support for efforts to achieve a lasting, comprehensive ceasefire.
- All Palestinian security organisations are consolidated into three services reporting to an empowered Interior Minister.
- Restructured/retrained Palestinian security forces and IDF counterparts progressively resume security co-operation and other undertakings in implementation of the Tenet Work Plan, including regular senior-level meetings, with the participation of U.S. security officials.
- Arab states cut off public and private funding and all other forms of support for groups supporting and engaging in violence and terror.
- All donors providing budgetary support for the Palestinians channel these funds through the Palestinian Ministry of Finance’s Single Treasury Account.
- As comprehensive security performance moves forward, IDF withdraws progressively from areas occupied since September 28, 2000 and the two

sides restore the status quo that existed prior to September 28, 2000. Palestinian security forces redeploy to areas vacated by IDF.

#### **Palestinian Institution-building**

- Immediate action on credible process to produce draft constitution for Palestinian statehood. As rapidly as possible, constitutional committee circulates draft Palestinian constitution, based on strong parliamentary democracy and cabinet with empowered Prime Minister, for public comment/debate. Constitutional committee proposes draft document for submission after elections for approval by appropriate Palestinian institutions.
- Appointment of interim prime minister or cabinet with empowered executive authority/decision-making body.
- GOI fully facilitates travel of Palestinian officials for PLC and Cabinet sessions, internationally supervised security retraining, electoral and other reform activity, and other supportive measures related to the reform efforts.
- Continued appointment of Palestinian ministers empowered to undertake fundamental reform. Completion of further steps to achieve genuine separation of powers, including any necessary Palestinian legal reforms for this purpose.
- Establishment of independent Palestinian election commission. PLC reviews and revises election law.
- Palestinian performance on judicial, administrative, and economic benchmarks, as established by the International Task Force on Palestinian Reform.
- As early as possible, and based upon the above measures and in the context of open debate and transparent candidate selection/electoral campaign based on a free, multiparty process, Palestinians hold free, open, and fair elections.
- GOI facilitates Task Force election assistance, registration of voters, movement of candidates and voting officials. Support for NGOs involved in the election process.
- GOI reopens Palestinian Chamber of Commerce and other closed Palestinian institutions in East Jerusalem based on a commitment that these institutions operate strictly in accordance with prior agreements between the parties.

#### **Humanitarian Response**

- Israel takes measures to improve the humanitarian situation. Israel and Palestinians implement in full

all recommendations of the Bertini report to improve humanitarian conditions, lifting curfews and easing restrictions on movement of persons and goods, and allowing full, safe, and unfettered access of international and humanitarian personnel.

- AHLC reviews the humanitarian situation and prospects for economic development in the West Bank and Gaza and launches a major donor assistance effort, including to the reform effort.
- GOI and PA continue revenue clearance process and transfer of funds, including arrears, in accordance with agreed, transparent monitoring mechanism.

#### **Civil Society**

- Continued donor support, including increased funding through PVOs/NGOs, for people to people programs, private sector development and civil society initiatives.

#### **Settlements**

- GOI immediately dismantles settlement outposts erected since March 2001.
- Consistent with the Mitchell Report, GOI freezes all settlement activity (including natural growth of settlements).

#### **Phase II**

##### **Transition, June 2003–December 2003**

In the second phase, efforts are focused on the option of creating an independent Palestinian state with provisional borders and attributes of sovereignty, based on the new constitution, as a way station to a permanent status settlement. As has been noted, this goal can be achieved when the Palestinian people have a leadership acting decisively against terror, willing and able to build a practising democracy based on tolerance and liberty. With such a leadership, reformed civil institutions and security structures, the Palestinians will have the active support of the Quartet and the broader international community in establishing an independent, viable, state.

Progress into Phase II will be based upon the consensus judgement of the Quartet of whether conditions are appropriate to proceed, taking into account performance of both parties. Furthering and sustaining efforts to normalise Palestinian lives and build Palestinian institutions, Phase II starts after Palestinian elections and ends with possible creation of an independent Palestinian state with provisional

borders in 2003. Its primary goals are continued comprehensive security performance and effective security co-operation, continued normalisation of Palestinian life and institution-building, further building on and sustaining of the goals outlined in Phase I, ratification of a democratic Palestinian constitution, formal establishment of office of prime minister, consolidation of political reform, and the creation of a Palestinian state with provisional borders.

- International Conference: Convened by the Quartet, in consultation with the parties, immediately after the successful conclusion of Palestinian elections, to support Palestinian economic recovery and launch a process, leading to establishment of an independent Palestinian state with provisional borders.
- Such a meeting would be inclusive, based on the goal of a comprehensive Middle East peace (including between Israel and Syria, and Israel and Lebanon), and based on the principles described in the preamble to this document.
- Arab states restore pre-Intifada links to Israel (trade offices, etc.).
- Revival of multilateral engagement on issues including regional water resources, environment, economic development, refugees, and arms control issues.
- New constitution for democratic, independent Palestinian State is finalised and approved by appropriate Palestinian institutions. Further elections, if required, should follow approval of the new constitution.
- Empowered reform cabinet with office of Prime Minister formally established, consistent with draft constitution.
- Continued comprehensive security performance, including effective security co-operation on the bases laid out in Phase I.
- Creation of an independent Palestinian state with provisional borders through a process of Israeli-Palestinian engagement, launched by the international conference. As part of this process, implementation of prior agreements, to enhance maximum territorial contiguity, including further action on settlements in conjunction with establishment of a Palestinian state with provisional borders.
- Enhanced international role in monitoring transition, with the active, sustained, and operational support of the Quartet.
- Quartet members promote international recog-

nition of Palestinian state, including possible UN membership.

### **Phase III Permanent Status Agreement and End of the Israeli-Palestinian Conflict, 2004-2005**

Progress into Phase III, based on consensus judgement of Quartet, and taking into account actions of both parties and Quartet monitoring. Phase III objectives are consolidation of reform and stabilisation of Palestinian institutions, sustained, effective Palestinian security performance, and Israeli-Palestinian negotiations aimed at a permanent status agreement in 2005.

- Second International Conference: Convened by Quartet, in consultation with the parties, at beginning of 2004 to endorse agreement reached on an independent Palestinian state with provisional borders and formally to launch a process with the active, sustained, and operational support of the Quartet, leading to a final, permanent status resolution in 2005, including on borders, Jerusalem, refugees, settlements; and, to support progress toward a comprehensive Middle East settlement between Israel and Lebanon and Israel and Syria, to be achieved as soon as possible.
- Continued comprehensive, effective progress on the reform agenda laid out by the Task Force in preparation for final status agreement.
- Continued sustained and effective security performance, and sustained, effective security co-operation on the bases laid out in Phase I.
- International efforts to facilitate reform and stabilise Palestinian institutions and the Palestinian economy, in preparation for final status agreement.
- Parties reach final and comprehensive permanent status agreement that ends the Israel-Palestinian conflict in 2005, through a settlement negotiated between the parties based on UNSCR 242, 338, and 1397, that ends the occupation that began in 1967, and includes an agreed, just, fair, and realistic solution to the refugee issue, and a negotiated resolution on the status of Jerusalem that takes into account the political and religious concerns of both sides, and protects the religious interests of Jews, Christians, and Muslims world-wide, and fulfils the vision of two states, Israel and sovereign, independent, democratic and viable Palestine, living side-by-side in peace and security.

- Arab states acceptance of full normal relations with Israel and security for all the states of the region in the context of a comprehensive Arab-Israeli peace.

(Quelle: A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict by the Quartet (European Union, United States, the Russian Federation and the United Nations, 30.4.2003; <[http://www.europa.eu.int/comm/external\\_relations/mepp/roadmap.htm](http://www.europa.eu.int/comm/external_relations/mepp/roadmap.htm)>).